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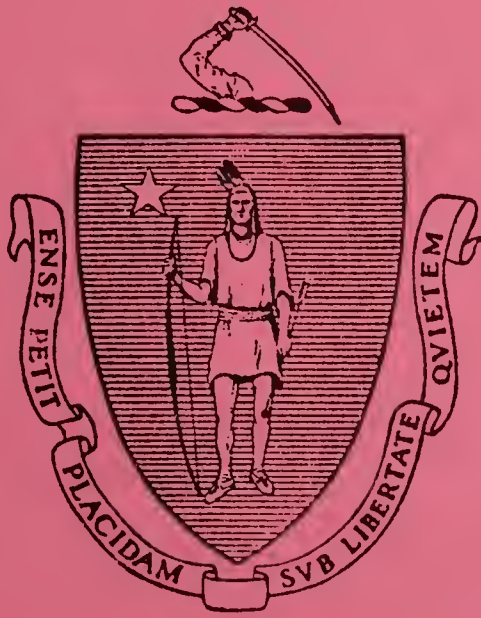
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The Commonwealth of Massachusetts Great and General Court



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JOINT COMMITTEE ON INSURANCE ANNUAL REPORT 1987

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Senate Chair

Rep. Francis H. Woodward
House Chair

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INTRODUCTION

The Joint Committee on Insurance began its legislative hearing schedule on March 4. The committee held public hearings on 270 pieces of legislation, 17 were signed into law.

1987 was a year in which the impact of the efforts undertaken in 1986 relative to medical malpractice has begun to take place. The demonstrable results have been realized in the form of a zero percent rate increase for 1988. Continued refinements in the medical malpractice system were sought and obtained in the areas of reimbursement and exemptions from retroactive payments. The committee hopes that its efforts will continue to result in the stabilization of medical malpractice premium rates. As has been the case in the past a great deal of the Committees resources were expended upon the issue of automobile insurance. In 1987, symptoms of a serious overall problem manifested themselves in a lengthy hearing process, a late rate announcement and implementation date, the pullout of Firemens Insurance Company from the Massachusetts automobile insurance market, and the announcement future withdrawal of Kemper Group. Several so-called reform proposals were entertained with regard to automobile insurance. Regretfully, the proposals were either perceived and not real in their impact or failed in the process. The committee expects to address this complex and controversial issue early in 1988 and looks forward to the challenge.

One area related to automobile insurance in which a significant legislative advancement took place was fraud reduction. Chapter 44

requires that the owner of a burned motor vehicle be required to submit a signed affidavit to the proper fire authority. No payment will be made by the issuer until the affidavit is filed. Hopefully this measure will continue showing results in the reduction of arson and fraud related claims with a corresponding impact on comprehensive premiums.

An additional consumer protection regulation was enacted in the form of Chapter 189. This measure stipulates that no payment shall be made to an insurer or repair shop under collision or limited collision coverages unless the appropriate repair shop is a licensed facility. Chapter 189 helps to insure that repair work is being done in a proper manner by a qualified and competent shop. The end result will be that the consumer is assured of a safe and quality job.

A similar form of protection was insured with the passage of Chapter 354. This act requires that a plumber or gas fitter show evidence of liability insurance prior to receiving a municipal work permit. This will give the consumer of these services an avenue of recovery if there is damage as the result of the contractor negligence.

The committee was once again confronted with the issue of mandated benefits. The committee attempted to maintain the delicate balance between the reimbursement for services and need for such services and the corresponding cost impact. One such mandated benefit requires all medical insurance providers to provide payment for preventive screening tests for an annual cytologic screening test for women eighteen years of age and older. A baseline mammogram for women between the ages of thirty-five and forty and then annual

testing for women forty years of age and older. The committee viewed the benefits of early detection, as out weighing the cost impact on premiums.

One remaining remnant of the 1986 so-called liability crisis was the need to address the issue of pollution liability insurance. Chapter 650 establishes a corporation whose purpose is to establish and maintain a fund for the purpose of assuming or ceding reinsurance of pollution liability insurance policies. A supplemental special account shall be used to discharge the corporations liability under reinsurance contracts. This legislation is vital to insuring protection for the environment and potential victims as well as protecting vital economic interests in the commonwealth.

While 1987 proved to be a successful year, the issue of automobile issue looms large on the horizon. The committee pledges to work hard and devote its time and resources to find a meaningful and real solution to this complicated problem. The committee will also continue to address the needs of the public with regard to insurance and it welcomes the task.

1987 LEGISLATIVE HIGHLIGHTS

CHAPTER 44

CHAPTER 189

CHAPTER 363

CHAPTER 650

Ch. 44 - AN ACT RELATIVE TO AUTOMOBILE INSURANCE FRAUD

Chapter 44 was created to help produce information that will identify the vehicles destroyed by arson. Under this law the owner of a burned motor vehicle is required to submit a signed statement to the proper fire authority. The insurer is not allowed to make payment until such a statement has been filed, reviewed and it has been determined that there was no fraud evident.

Ch. 189 - AN ACT RELATIVE TO AUTOMOBILE INSURANCE PAYMENTS FOR COLLISION REPAIR

Chapter 189 was passed to regulate automobile insurance payments for collision repair. It states that no insurer can make payments to an insurer or repair shop under the collision or limited collision provisions unless the said repair shop is licensed to appraise motor vehicle damage, has effective liability insurance, has obtained and uses a tax identification number and filed notification of hazardous waste activity. (see Ch. 370)

Ch. 363 - AN ACT PROVIDING COVERAGE FOR CERTAIN MEDICAL PREVENTIVE SCREENING TESTS

Chapter 363 demands all medical insurance providers to provide payment for preventive screening tests for an annual Cytologic screening test for women eighteen years of age and older and a Baseline mammogram for women between the ages of thirty-five and forty and then annual testing for women forty years of age and older.

Ch. 650 - AN ACT RELATIVE TO POLLUTION LIABILITY REINSURANCE

Chapter 650 establishes a corporation whose purpose is to establish and maintain a "Pollution Liability Reinsurance Fund" for the purpose of assuming or ceding reinsurance of pollution liability insurance policies. A supplemental Special Account shall be used to discharge the corporations liability under reinsurance contracts in the event ordinary premiums and investment income does not cover losses and expenses. In event of insufficient funds to make payments, the corporation may apply to the Commonwealth for a loan not exceeding twenty-five million dollars in the aggregate nor shall any loan exceed a twelve year term. Radioactive and nuclear waste are excluded from coverage under this chapter.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO AUTOMOBILE INSURANCE FRAUD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The first paragraph of section 113 0 of chapter 175 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:- No payment shall be made by the insurer of loss or damage to the insured vehicle on a claim for theft coverage, so-called, until the insured received notice from the appropriate police authority that a statement in conformity with the provisions of section twenty-nine of chapter two hundred and sixty-six has been filed. No payment shall be made by the insurer of loss or damage to the insured vehicle on a claim for fire coverage, so-called, until the insured has filed a statement in conformity with the provisions of section twenty-nine B of said chapter two hundred and sixty-six and the insurer has, within a reasonable time, reviewed said statement with the appropriate fire authority and determined no fraud was involved.

SECTION 2. Chapter 266 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by inserting after section 29 the following section:-

Section 29B. Whenever a motor vehicle is burned, the owner of record of such vehicle shall submit to the appropriate fire department a statement signed under the penalties of perjury containing such information concerning the burning of such vehicle as the state fire marshall shall require.

House of Representatives, April 23, 1987.

Passed to be enacted.

George Lucreman, Speaker.

In Senate, April 23, 1987.

Passed to be enacted, *William M. Bulger*, President.

May 5, 1987.

Approved,

Richard D. Riordan Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO AUTOMOBILE INSURANCE PAYMENTS FOR COLLISION REPAIR.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 34 O of chapter 90 of the General Laws is hereby amended by adding the following paragraph: -

Notwithstanding the provisions of paragraphs (1) and (2), no insurer shall make payments to a repair shop located in the commonwealth for repairs to a motor vehicle under the collision and limited collision provisions of this section, unless such repairs have been made in a repair shop that certifies that it (a) is owned by or has in its employ a person licensed to appraise motor vehicle collision damage pursuant to section eight G of chapter twenty-six; (b) has in effect a policy of liability insurance for protection of its customers and their property; (c) has obtained a sales and use tax identification number pursuant to chapters sixty-four H and sixty-four I; and (d) has filed notification of hazardous waste activity under chapter twenty-one C and the Federal Resource Conservation and Recovery Act. Such repair shop shall certify on a completed work claim form that it meets these requirements and shall list its applicable registration and policy numbers on such form. The commissioner shall have authority to promulgate regulations for enforcement of the provisions of this paragraph. Any repair shop located in the commonwealth which receives a completed work claim form for repairs to a motor vehicle and which fails to make certification as required herein shall not have a lien on the motor vehicle for any charges claimed to be due it for storage, work and care in connection with the said repairs, notwithstanding the provisions of section twenty-five of chapter two hundred and fifty-five.

House of Representatives, June 23, 1987.

Passed to be enacted,

George F. Leman, Speaker.

S 708

In Senate, June 23, 1987.

Passed to be enacted, *William M. Bulger*, President.

June 30, 1987.

Approved,

Michael Dukakis Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING COVERAGE FOR CERTAIN MEDICAL PREVENTIVE SCREENING TESTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 47F the following section:-

Section 47G. Any blanket or general policy of insurance described in subdivision (A), (C), or (D) of section one hundred and ten which is issued or subsequently renewed by agreement between the insurer and the policyholder, within or without the commonwealth, during the period within which this premium is effective, or any policy of accident or sickness insurance as described in section one hundred and eight which provides hospital expense and surgical expense insurance and which is delivered or issued for delivery or subsequently renewed by agreement between the insurer and the policyholder in the commonwealth, during the period within which this provision is effective, or any employers' health and welfare fund which provides hospital expense and surgical expense benefits and which is issued or renewed to any person or group of persons in the commonwealth, during the period within which this provision is effective, shall provide benefits for the expense of residents of the commonwealth covered under any such policy or plan for the expense of cytologic screening and mammographic examination. Said benefits shall be at least equal to the following minimum requirements: (a) in the case of benefits for cytologic screening, said benefits shall provide for an annual cytologic screening for women eighteen years of age and older; and (b), in the case of benefits for mammographic examination said benefits shall provide for a baseline mammogram for women between the ages of thirty-five and forty and for a mammogram on an annual basis for woman forty years of age and older.

SECTION 2. Section 110 of said chapter 175 is hereby amended by adding after subdivision (N), inserted by section 1 of chapter 618 of the acts of 1986, the following subdivision:-

(L) Any blanket or general policy of insurance described in subdivision (A), (C) or (D) of this section, which is delivered or issued for delivery within or without the commonwealth and which covers residents of the commonwealth and any employees health and welfare fund which is promulgated or renewed to any person or group of persons in the commonwealth shall provide benefits for expense of cytologic screening and mammographic examinations which are at least equal to the following minimum requirements: (a) in the case of benefits for cytologic screening, said benefit shall provide for an annual cytologic screening for women eighteen years of age and older; and (b), in the case of benefits for mammographic examination, said benefits shall provide for a baseline mammogram for women between the ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of age and older.

SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after section 8I the following section:-

Section 8J. Any contract, except contracts providing supplemental coverage to medicare or other governmental programs, between a subscriber and the corporation under an individual group hospital service plan which shall be delivered, issued or renewed in the commonwealth shall provide, as a basic benefit to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth, for expense for cytologic screening and mammographic examination. Said benefits shall be at least equal to the following minimum requirements: (a) in the case of benefits for cytologic screening, said benefits shall provide for an annual cytologic screening for women eighteen years of age; and (b), in the case of benefits for mammographic examination, said benefits shall provide for a baseline mammogram for women between the ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of age and older.

SECTION 4. Chapter 176B of the General Laws is hereby amended by adding the following section:-

Section 4G. Any subscription certificate under an individual or group medical service agreement, except certificates which provide supplemental coverage to Medicare or other governmental programs, which shall be delivered or issued or renewed in the commonwealth shall provide as benefits to all individual subscribers and members within the commonwealth and to all group mem-

bers having a principal place of employment within the commonwealth for expense of cytologic screening and mammographic examination. Said benefits shall be at least equal to the following minimum requirement: (a) in the case of benefits for cytologic screening, said benefits shall provide for an annual cytologic screening for women 18 years of age and older; and (b), in the case of benefits for mammographic examination said benefits shall provide for a baseline mammogram for women between the ages of thirty-five and forty and for mammogram on an annual basis for women forty years of age and older.

SECTION 5. Section 4 of chapter 176G of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by adding the following sentence:- Such health maintenance contract shall also provide coverage for cytologic screening and mammographic examination as set forth in section forty-seven G of chapter one hundred and seventy-five.

House of Representatives, August 10, 1987.

Passed to be enacted, *George Luoma*, Speaker.

In Senate, August 13, 1987.

Passed to be enacted, *William H. Bulger*, President.

August 27, 1987.

Approves,

Richard S. Blumenthal Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER CLARIFYING HEALTH MAINTENANCE ORGANIZATION COVERAGE FOR PUBLIC EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Paragraph (h) of section 2 of chapter 32A of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after the word "organization", in line 1, the second time it appears, the words:- , including without limitation a health maintenance organization.

SECTION 2. Section 14 of said chapter 32A, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

All persons eligible for the insurance provided under sections four, five, six, ten B, ten C and twelve shall have the option to be insured for the services of a health care organization under this section but shall not be insured for both. The commonwealth's contribution toward the total monthly premium or rate for coverage under this section shall be the same as and shall not exceed the commonwealth's contribution for the health insurance programs provided under sections four, five, six, ten B, ten C and twelve; and eligible persons having elected coverage under this section by making application as provided in section seven, shall pay the remainder premium or rate. Such payment by the insured shall be made to the commission as provided in section eight.

House of Representatives, December 8, 1987.

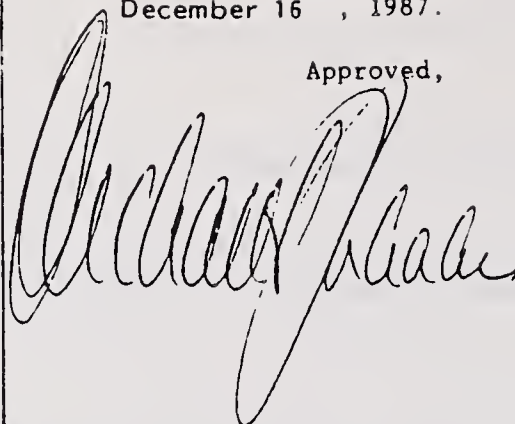
Passed to be enacted, *George F. Keenan*, Speaker.

In Senate, December 9, 1987.

Passed to be enacted, *William M. Bulger*, President.

December 16 , 1987.

Approved,

 Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO POLLUTION LIABILITY REINSURANCE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. It is hereby found and declared that:

A. It is a necessity for Massachusetts waste treatment, storage and disposal facilities to carry pollution liability insurance. Massachusetts manufacturing companies that generate or use hazardous waste should have pollution liability insurance.

B. These businesses are unable to obtain pollution liability insurance in the commercial marketplace because of its high cost, limited coverage or unavailability.

C. The lack of pollution liability insurance will force some Massachusetts businesses to close and will make it difficult for others to hold their present employment levels or expand employment. It will also be a serious disincentive to businesses that are considering whether to relocate or remain in the commonwealth.

D. The high cost, limited coverage and unavailability of pollution liability insurance coverage will adversely affect Massachusetts employment, industrial development and the general welfare of the inhabitants of the commonwealth.

E. A need exists to promote industrial development in the commonwealth, the economic well-being of its inhabitants and a clean environment by providing additional means for obtaining pollution liability insurance.

F. The availability of affordable pollution liability insurance coverage will help to ensure industrial development, full employment and a clean environment.

G. Creation of a state reinsurance facility for pollution liability insurance will assist and encourage the availability of insurance.

H. The availability of affordable pollution liability insurance will ensure adequate protection for members of the public who have personal injury

and property damage claims which result from the disposal, discharge, release or escape of pollutants.

I. It is an important function of government to assist in the development of programs that are designed to minimize the risk of future discharge, release or escape of pollutants and that ensure adequate financial resources for pollution clean-up.

J. It is, therefore, expressly declared and determined by the general court that the provisions of this act and the authority and powers conferred under this act constitute a needed program in the public interest and serves a valid public purpose for which public money may be expended or invested.

SECTION 2. The General Laws are hereby amended by inserting after chapter 175F the following chapter:-

CHAPTER 175G.

THE POLLUTION LIABILITY REINSURANCE CORPORATION.

Section 1. As used in this chapter, the following words, unless the context otherwise requires, shall have the following meanings:-

"Cede", to contractually transfer, pursuant to the provisions of this chapter, all or part of the financial responsibility for pollution liability claims from an entity providing insurance or reinsurance to another reinsuring entity.

"Ceding entity" or "entity obtaining reinsurance", an entity issuing pollution liability insurance policies for which the Pollution Liability Reinsurance Corporation established herein provides reinsurance. Such entity shall be a reciprocal insurance exchange as licensed under sections ninety-four A to ninety-four M, inclusive, of chapter one hundred and seventy-five.

"Commissioner", the commissioner of insurance.

"Corporation" or "Reinsurance Corporation", the Pollution Liability Reinsurance Corporation established herein.

"Pollution liability", liability for any claim made against an insured which arises out of, relates to, or is based upon the dispersal, discharge, escape, or release of smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids, gases, wastes including materials to be recycled, reconditioned or reclaimed, or any other material, irritant, contaminant or pollutant in or into the atmosphere or on, onto, upon, in or into surface or subsurface: (i) soil or land, (ii) water, waterway or watercourse, (iii) objects, (iv) tangible or intangible matter.

"Pollution liability insurance policies acceptable for reinsurance under this chapter", those policies of pollution liability insurance providing coverage for bodily injury and property damage to third parties caused by either unintended and unanticipated releases or by releases whose consequences were unintended and unanticipated, but shall not include first party clean-up costs, or the clean-up of any waste facility whether owned or operated by the insured or by a third party, even if ordered by a governmental agency, except as part of property damage liability to a third party; provided, however, that policies accepted for reinsurance by the Corporation shall contain a prevention of loss provision substantially equivalent to the following:

In the event the insured becomes aware of incidents or conditions which may result in a claim covered by this policy, it shall undertake such operations as are necessary to alleviate such incidents or conditions and shall notify the insurer within forty-eight hours of commencing such operations. If the insured fails to undertake such operations, this policy shall not afford coverage for such claim. The insurer shall have no liability for or duty to reimburse the insured for the costs of such operations undertaken to prevent a claim covered by this policy.

In the discretion of the Corporation, pollution liability insurance policies acceptable for reinsurance under this chapter may include policies providing completed operations liability coverage for pollution clean-up contractors licensed by the department of environmental quality engineering; provided, however, that such policies shall be issued only on a job-by-job site-specific basis subject to strict underwriting standards and inspections of completed work; and, provided further, that such policies shall be limited to policies covering only claims against the insurer arising within the commonwealth and resulting from the disposal, discharge, release, or escape of materials from an insured site or an approved waste facility within the commonwealth. Claims for injuries or damage to persons or property outside the commonwealth resulting from release or escape of materials within the commonwealth will be deemed claims arising within the commonwealth. Claims for injuries or damage arising out of wastes originating within the commonwealth but shipped by, or on behalf of, an insured within the commonwealth to an approved waste facility outside the commonwealth will be deemed claims arising within the commonwealth; but in any claim seeking to recover against such an insured and others under joint and several liability, the reinsurance shall extend on-

ly to that portion of the claim bearing the same proportion to the entire claim against the insured and others claimed against that the amount of insured's waste in the site, originating in the commonwealth, and causing the injury or damage complained of, bears to the total amount of wastes causing the injury or damage complained of. Said policies shall exclude coverage related to radioactive waste facilities. Said policies shall also contain a nuclear exclusion similar to that approved by the commissioner of insurance for use by the insurance services in office in commercial general liability insurance policies.

The Pollution Liability Reinsurance Corporation established herein shall, consistent with its plan of operation and any applicable regulations of the commissioner of insurance, determine the acceptability of pollution liability policies, including the coverage definitions and terms of such policies, for purposes of providing reinsurance pursuant to this chapter.

"Reinsure" or "provide reinsurance" or "assume reinsurance", to contractually accept all or part of the financial responsibility for pollution liability claims, in exchange for the allocable premium charges, subject to the provisions of this chapter.

"Reinsurance fund", the fund established pursuant to section two.

"Waste facility", any facility operated by any person or organization for the storage, treatment, processing or disposal of waste materials. The Corporation shall require that pollution liability policies acceptable for reinsurance under this chapter shall exclude all coverage for claims arising out of or in connection with a waste facility unless such waste facility is on an approved list established by the Corporation.

Section 2. For the purpose of assuming or ceding reinsurance of pollution liability insurance policies subject to the provisions of this chapter, there is hereby created a body politic and corporate to be known as the Pollution Liability Reinsurance Corporation. The Corporation is hereby constituted a public instrumentality of the commonwealth and the exercise by the Corporation of the powers conferred in this chapter shall be deemed and held to be the performance of an important public function. The Corporation is hereby placed under the commissioner of insurance but shall not be subject to the supervision or control of said commissioner or any board, bureau, department or other agency of the commonwealth except as specifically provided in this chapter.

The Corporation shall be governed and its corporate powers exercised by a board of directors consisting of the commissioner of insurance or his designee and the commissioner of the department of environmental quality engineering or his designee who shall serve as *ex officio* non-voting members of the board and nine persons to be appointed by the governor, one of whom shall be a member representing consumer or environmental interests and five of whom shall be members representing employers, including two from nominees of the Associated Industries of Massachusetts.

Directors shall serve for a term of three years; provided, however, that in making the initial appointments the governor shall designate initial terms of one, two, and three years, respectively, so that as nearly as possible the terms of one-third of the members shall expire each year. Any member may be removed from the board of directors by the governor only for cause. The members shall annually elect a member of the board of directors to serve as chairman. Five members of the board shall constitute a quorum and the affirmative votes of five members shall be necessary for any action to be taken by the board of directors. Members of the board shall not be compensated but shall be reimbursed by the Corporation for reasonable expenses incurred by them in carrying out their duties as members of the board of directors.

The board shall appoint a qualified executive director and establish his salary. The executive director shall be the chief executive, administrative and operational officer of the Corporation and shall direct and supervise the administrative affairs and general management of the Corporation. The executive director shall attend meetings of the board and may, subject to the approval of the board, employ other employees, consultants, and agents, including legal counsel and advisors.

The board shall contract with one or more qualified persons or entities for services necessary for the operation and management of the Corporation. Such services shall be performed under the supervision of the executive director. At least annually, such contractor shall report to the board of directors regarding activities on behalf of the Corporation. The following shall be ineligible to contract for such services:

(i) any entity obtaining reinsurance of pollution liability policies from the Corporation;

(ii) any insurance company licensed or approved to provide, and actually writing, pollution liability coverage within the commonwealth; and

(iii) any company or entity whose engagement by the Corporation would, in the judgment of the board, pose the appearance of reality of a conflict of interest.

The directors shall annually elect a secretary and treasurer, and may elect or appoint such other officers as they deem necessary, none of whom, except for the chairman, need be members of the board. The secretary shall keep a record of the proceedings of the Corporation and shall be custodian of all books, documents, and papers filed with the Corporation and its official seal. The secretary shall cause copies to be made of all minutes and other records and documents of the Corporation and shall certify that such copies are true copies and all persons dealing with the Corporation may rely on such certification. The treasurer shall be the chief financial and accounting officer of the Corporation and shall be in charge of its funds, books of account and accounting records.

Directors and officers who are not regular, compensated employees of the Corporation shall, except for acts of willful dishonesty or intentional violation of the law, not be liable to the commonwealth, to the Corporation or to any other person as a result of their activities, whether ministerial or discretionary, as such directors or officers. The board of directors of the Corporation may purchase liability insurance for directors, officers, employees and agents of the Corporation and may, except in cases of willful dishonesty, indemnify said persons against the claims of others.

All directors, officers, employees and agents of the Corporation having access to cash or negotiable securities shall give bond to the Corporation at its expense, in such amount and with such surety as the board may prescribe. The persons required to give bond may be included in one or more blanket or scheduled bonds.

The board shall annually approve appropriate compensation payable to its officers if such compensation is deemed necessary.

The Pollution Liability Reinsurance Corporation shall establish and maintain a fund, which shall be known as the Pollution Liability Reinsurance Fund. Revenues collected by the Pollution Liability Reinsurance Corporation shall be deposited in the reinsurance fund and shall be available for use by the Corporation for its ordinary and necessary operating expenses; for the payment of obligations arising under reinsurance contracts issued by the Corporation pursuant to this chapter; and for any other purpose authorized by this chapter.

The Corporation shall annually submit a complete and detailed report of its activities within ninety days after the end of the calendar year to the clerk of the house of representatives, to the clerk of the senate, to the governor, and to the commissioner.

The books and records of the Corporation shall be subject to an annual audit by the auditor of the commonwealth and to periodic examination at not less than three-year intervals by the commissioner of insurance. The costs of such audits and examinations shall be paid by the Corporation. The findings of the annual audit shall be submitted to the clerk of the house of representatives, to the clerk of the senate, to the governor, and to the commissioner.

The Corporation shall be exempt from payment of all fees, premium taxes and all other taxes levied by the commonwealth or any of its subdivisions except taxes levied on real property.

Section 3. The Corporation shall have the following powers to:

establish and amend a plan of operation subject to the approval of the commissioner;

make, amend, and repeal by-laws, subject to the approval of the commissioner, for the management of its affairs;

adopt an official seal;

assume, or cede to another approved reinsurer, one hundred per cent reinsurance or a lesser percentage on any pollution liability insurance policies acceptable for reinsurance under the provisions of this chapter;

provide separate accounts for categories and subcategories of insureds re-insured by the Corporation;

maintain relevant loss, expense and premium data relative to all risks re-insured by the Corporation and to require each entity obtaining reinsurance to furnish statistics in connection with insurance ceded to the association at such times and in such form and detail as may be deemed necessary;

receive and distribute all sums required by the operation of the Corporation;

establish procedures for reviewing underwriting and claims procedures and practices of entities obtaining reinsurance and in the event that such underwriting or claims procedures or practices of any such entity are considered inadequate to properly service the risks ceded by it to the Corporation, the Corporation may establish an underwriting or claims program that will undertake to assist the entity in underwriting or claims adjustment procedures or

practices, and in such event shall charge such entity a reasonable fee for establishing and operating such claim program;

audit the operations of entities obtaining reinsurance to such extent as the board of directors determines to be necessary to assure compliance with this act, in a reasonable manner and at such reasonable time or times prescribed by the board of directors;

sue and be sued, in its own name;

make contracts and execute all instruments necessary or convenient for the carrying on of its business;

acquire, own, hold, dispose of and encumber personal property of any nature or any interest therein;

enter into agreements or transactions with any federal, state or municipal agency or other institutions;

appear in its own behalf before boards, commissions, departments or other agencies of federal, state or municipal government;

appoint employees, consultants, agents and advisors and prescribe their duties and fix their compensation;

procure insurance against any losses in connection with its property and its directors and officers in such amounts, and from such insurers, as may be necessary or desirable;

accept any and all donations, grants, appropriations, bequests, and devises, conditional or otherwise, of money, property, service, or other things of value which may be received from the commonwealth, the United States or any agency thereof, any other governmental agency, any institution, person, firm or corporation, public and private, to be held, used or applied for any or all the purposes specified in this act, in accordance with the terms and conditions of any such grant. Receipt of each such donation or grant shall be detailed in the annual report of the Corporation. Such report shall include the identity of the donor, the nature of the transaction and any conditions attaching thereto;

impose and collect surcharges on reinsurance premiums as provided in this chapter;

borrow funds necessary to carry out the purposes of this chapter in accordance with the plan of operation, including the loan of funds by the state treasurer as provided in section six;

invest all funds held by the Corporation in accordance with the investment policies established by the board of directors, in a manner consistent with the laws specifying legal investments for insurance companies, and to exercise all of the rights of an owner with respect to such investment, including the right to vote upon all securities;

exercise powers of a Corporation organized under chapter one hundred and fifty-six B that are necessary for operation of the reinsurance facility herein created, insofar as the possession and exercise of said powers remain consistent with this chapter.

Section 4. The Corporation shall submit to the commissioner of insurance for his approval a plan of operation addressing both the internal structure and management of the Corporation and the procedures by which the Corporation seeks to carry out the purposes of this chapter, including the promotion within the commonwealth of improved availability and affordability of pollution liability insurance.

The plan shall include criteria and procedures for acceptance and cession of reinsurance by the Corporation; underwriting standards; procedures for determining the coverage and limits of policies for which reinsurance will be accepted or ceded; criteria for the kind and terms of reinsurance that will be accepted or ceded; procedures for the initial review and continuing examination of the operations of any entity applying for or obtaining reinsurance, including such entity's surplus and overall financial resources, its rates and risk classifications, its underwriting standards, risk management and safety incentive programs, its claim adjustment procedures and other aspects of its services and administrative operations; criteria for a statistical plan for the purpose of collecting and reporting all appropriate operating data to the commissioner; and the plan shall address all other matters deemed necessary by the commissioner to carry out the purposes of this chapter.

The plan shall provide that the premium charged for reinsurance shall be the premium charged for the coverage and limits ceded, less an appropriate expense allowance to the entity obtaining reinsurance. The expense allowance shall consist of the amounts actually incurred by the ceding entity on the ceded risk subject to a maximum of the total expense allowance provided in ratemaking for the respective categories of risk in the latest rate review or experience review accepted by the commissioner for the entity obtaining reinsurance. Policies, rates for coverage, expense allowances, and membership or

subscription agreements of an entity seeking reinsurance shall be subject to review and approval by the commissioner, and such entity shall also provide to the commissioner such additional information and permit examination of such records as the commissioner may request for the purpose of demonstrating its financial responsibility. The plan shall provide reasonable procedures to assure that the rates charged by such entity are adequate and that the Corporation's premium charges for reinsurance are adequate, on the basis of reasonable actuarial projections, to cover the Corporation's liability in connection with such reinsurance.

The plan shall also include a requirement that prior to acceptance of any pollution liability insurance policies for reinsurance by the Corporation, the following findings shall be made concerning the entity obtaining reinsurance or the members insured by such entity: (i) that the entity or its members has had difficulty in obtaining sufficient or affordable pollution liability reinsurance from the private market; (ii) that obtaining reinsurance is necessary for the continued operation of the affected businesses; (iii) that the affected businesses have a positive impact on economic development and employment in the commonwealth; (iv) that the entity or its members have or will soon implement adequate measures to limit the risk of future adverse disposal, discharge, release or escape of hazardous waste and other pollutants; and, (v) that the entity or its members will undertake adequate recordkeeping to allow access to information by the Corporation to ensure compliance with all necessary conditions of the reinsurance contract.

The plan shall provide for the assumption by the Corporation of up to one hundred per cent reinsurance on any policy or contract of insurance, or binder thereon, which the Corporation determines to be a pollution liability insurance policy acceptable for reinsurance under the provisions of this chapter; which is issued by a group self-insurance plan, group captive, or a reciprocal insurance exchange licensed or approved under applicable laws of the commonwealth; and which meets the Corporation's criteria for providing reinsurance, including underwriting and risk management standards.

Within forty-five days of its submission by the board, the proposed plan shall be reviewed by the commissioner and approved or disapproved. The commissioner shall approve the plan if he finds that it fulfills the purposes of this chapter. In his review of the proposed plan the commissioner may, in his discretion, consult with the directors and any other individual or organiza-

tion. If the commissioner approves the proposed plan he shall certify such approval to the directors and said plan shall take effect ten days after such certification. If the commissioner disapproves all or any part of the proposed plan of operation, he shall return it to the directors with a statement, in writing, of the reasons for his disapproval and any recommendations he may wish to make. The directors may accept the commissioner's recommendations, or may propose a new plan, which accepted recommendations or a new plan shall be submitted to the commissioner within twenty-one days after the return of a disapproved plan to the directors. The accepted recommendations or new plan shall be reviewed by the commissioner within fourteen days. Upon approval and certification, the plan will take effect ten days thereafter.

If the directors do not submit a proposed plan of operation within the prescribed time, or upon disapproval of a proposed plan, accept the recommendations of the commissioner or submit a new plan in the prescribed time, the commissioner shall in a timely manner promulgate a plan of operation and certify same to the directors. Any such plan promulgated by the commissioner shall take effect ten days after certification to the directors.

The directors of the Corporation may, on their own initiative, amend the plan of operation at any time, subject to approval by the commissioner.

The commissioner may review the plan of operation whenever he deems expedient, and may amend said plan after consultation with the directors and upon certification to the directors of such amendment.

Section 5. Subject to the plan of operation, the Corporation shall establish and collect a percentage surcharge of up to five per cent on ordinary reinsurance charges in order to build up a supplemental special account within the Pollution Liability Reinsurance Fund. The proceeds of this account and its related investment income shall be used to discharge the Corporation's liabilities under reinsurance contracts in the event that, for any specific reporting year, the losses and related expenses exceed the Corporation's income obtained from ordinary reinsurance premium charges and investment income thereon.

When the accumulated amount in the special account, less anticipated expenditures, is expected to exceed twenty-five million dollars at the end of a calendar year, the surcharges shall be discontinued until the special account is depleted to an amount below twenty-five million dollars. Every five years, the commissioner shall determine the proper maximum accumulated amount to be

kept in the special account for the next five years. This determination shall be based on, but not limited to factors including the previous experience in the operation of the special account.

In the event that for any specific reporting year the claim reserves established in the Reinsurance Fund from ordinary reinsurance charges, including reasonably related investment income, are determined with reasonable actuarial certainty to be in excess of the amounts actually required to pay claims and claim expenses, the surplus amount shall be transferred to the special account. Such determination shall be made no sooner than five years after the inception date of any reporting year.

Section 6. By July first of each year, the Corporation shall conduct a review of its claim experience for each reporting year. In the event that for any specific reporting year the reinsurance Corporation's charges for providing reinsurance on policies subject to this chapter, determined in accordance with sound rating principles as described in section four, and the reasonable investment income thereon, including amounts available from the special account pursuant to section five are expected to be insufficient to make payments required under its reinsurance contracts with respect to such policies, the Corporation shall submit to the commissioner of insurance a report documenting the extent of such deficiency for the following calendar year. If the total amount of such reporting year deficiencies exceeds one million dollars, the Corporation shall also submit for the commissioner's review an application for a loan by the treasurer of the commonwealth in an amount sufficient to permit the Corporation to make payments required under such reinsurance contracts. Provided that if the balance in the special account has reached a level in excess of five million dollars pursuant to the provisions of section five, such loan application shall be for an amount sufficient to leave a year-end balance of five million dollars in the special account.

Within sixty days of receiving such report and loan request, and after examining such additional documentation as he may deem necessary to verify the extent of the Corporation's need, the commissioner shall certify all or a specified part of the Corporation loan's request or deny such certification. The commissioner shall have a responsibility to ensure that the Corporation's legitimate need for funds to comply with the provisions of this section are adequately recognized in his decision with respect to the loan certification.

Upon certification of its loan request, the Corporation shall present such certified application to the treasurer of the commonwealth. The treasurer is authorized and directed to loan the certified amount to the Corporation within sixty days of receipt of the certified application. Such loan shall be repayable with interest to the commonwealth under a schedule of payments agreed to by the Corporation and the treasurer. In order to repay said loans the Corporation may use funds available from the special account described in section five.

Any such loan to the Corporation shall be repaid within a term not to exceed twelve years. The aggregate amount of outstanding loans shall not exceed twenty-five million dollars. No loan shall be made under the provisions of this section after December thirty-first, two thousand and twelve unless the legislature, upon review of the study conducted pursuant to the provisions of this section, authorizes the continuation of the loan guarantees provided by this section.

No later than June thirtieth, two thousand and ten, the board of directors of the Corporation, with the agreement of the commissioner, shall select a qualified independent consultant with expertise in the fields of finance and public policy to conduct an evaluation of the commonwealth-sponsored loan guarantees authorized under the provisions of this section. Said study shall consider and make recommendations on whether the continuation of such loan guarantees are (i) necessary or important for assuring the financial stability of the Corporation and (ii) in the best interest of the public of the commonwealth. Both the board of directors of the Corporation and the commissioner shall prepare comments on the report of the independent consultant, and shall prepare their own recommendations as to whether said loan guarantees should be extended. The report of the independent consultant, together with the responses and recommendations of the board of directors and the commissioner, shall be submitted to the clerk of the house of representatives, the clerk of the senate, and the governor no later than June thirtieth, two thousand and eleven.

Section 7. The commissioner may make, and at any time, alter or amend, reasonable rules and regulations to facilitate the operation of this chapter. The commissioner may issue such orders as he finds proper, expedient or necessary to enforce and administer the provisions of this chapter and to secure compliance with any rules or regulations made thereunder. The superior court

for the county of Suffolk shall have jurisdiction upon the complaints of the commissioner and upon a summary hearing, to enforce all lawful orders of the commissioner. Memoranda of all actions, orders, findings and decisions of the commissioner shall be signed by him and filed in his office as public records open to public inspection.

Any person or company aggrieved by any action, order, finding or decision of the commissioner pursuant to this chapter may seek review of such action, order, finding or decision by the superior court for the county of Suffolk in accordance with section five A of chapter one hundred and seventy-five A.

SECTION 3. The Reinsurance Corporation established under the provisions of section two shall be authorized to receive any appropriation as may be authorized by the general court and approved by the governor for the specific purpose of defraying said Corporation's start-up costs in carrying out the purposes of this act. Commencing no sooner than twenty-four months after said Corporation has received such authorization, the amount authorized and paid to said Corporation shall be repayable by said Corporation to the treasury of the commonwealth, with interest, according to a schedule of installment payments established by the commissioner of insurance in consideration of said Corporation's expected accumulation of income from reinsurance charges.

SECTION 4. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary to carry out the purposes of section six of chapter one hundred and seventy-five G of the General Laws, inserted by section two of this act described in section six, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such time and at such rates as shall be fixed by the state treasurer. Such notes shall be issued, and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-two. Notes and interest thereon issued under the authority of this section shall be general obligations of the commonwealth, and shall be payable from the General Fund.

SECTION 5. To meet the expenditures necessary in carrying out the provisions of section six of chapter one hundred and seventy-five G of the General Laws, inserted by section two of this act, the state treasurer shall from time

to time, upon the request of the governor, issue and sell bonds of the commonwealth to an amount specified by the governor, but not exceeding, in the aggregate, the sum of twenty-five million dollars. All bonds so issued by the commonwealth shall be designated on their face, Pollution Liability Reinsurance Corporation, Acts of 1987, and shall, in accordance with the recommendations that the governor shall submit pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, be issued for maximum terms not exceeding twenty years, and be payable not later than June thirtieth, two thousand and seventeen. All interest and payments on account of principal of such obligations shall be payable from the General Fund. Bonds issued under the authority of this section and the interest thereon shall be general obligations of the commonwealth.

SECTION 6. The governor shall appoint the members of the board of directors of the Pollution Liability Reinsurance Corporation and said board shall organize within forty-five days of the effective date of this act. The plan of operation required by section four of chapter one hundred and seventy-five G of the General Laws inserted by section two of this act shall be submitted to the commissioner of insurance for his approval within one hundred days of the effective date of this act.

SECTION 7. This act shall take effect upon its passage.

House of Representatives, December 22, 1987.

Passed to be enacted, *George J. Livanian*, Speaker.

In Senate, December 22, 1987.

Passed to be enacted, _____, President.

January 4, 1988

Approved,

at Four o'clock and 15 minutes, P. M.

[Signature] Governor.

OTHER LEGISLATION SIGNED INTO LAW IN 1987

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CHAPTER 246
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CHAPTER 310
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CHAPTER 627
CHAPTER 639
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CHAPTER 683
CHAPTER 711
CHAPTER 740
CHAPTER 742
CHAPTER 750

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING MEDICAL MALPRACTICE INSURANCE PREMIUMS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate medical malpractice insurance premiums therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. _____

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Paragraph (4) of section 38 of chapter 351 of the acts of 1986 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Notwithstanding the provisions of paragraph (2), any physician who was covered by a policy of medical malpractice insurance issued by the Joint Underwriting Association on or after July first, nineteen hundred and eighty-three and before July first, nineteen hundred and eighty-six and who ceases to be insured by said Joint Underwriting Association or who ceases to practice medicine in the commonwealth, unless such cessation of insurance coverage by said Joint Underwriting Association or of practice in the commonwealth is caused by the death of the physician, the retirement of the physician due to disability or after attainment of age sixty-five, or the relocation of the physician outside of the commonwealth immediately upon completion of a residency or internship, shall be liable as of the date of such cessation of such insurance coverage or of practice for the amount of individual deferred premium liability which has accrued with respect to such policy; provided, however, that if such cessation of insurance coverage or of practice occurs after July first, nineteen hundred and eighty-seven, said individual deferred premium liability shall be reduced by the amount of total deferred premium liability recovered from said physician pursuant to paragraph (3).

House of Representatives, May //, 1987.

Preamble adopted,

Robert H. Conner

Acting
Speaker.

In Senate, May //, 1987.

Preamble adopted,

William M. Bulger

, President.

House of Representatives, May //, 1987.

Bill passed to be enacted,

George J. Linn

, Speaker.

In Senate, May 13, 1987.

Bill passed to be enacted,

William M. Bulger

, President.

May 22, 1987.

Approved,

at Ten o'clock and 15 minutes, A. M.

William M. Bulger

Governor.

Chapter 86.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO REINSURANCE INVOLVING DOMESTIC LIFE COMPANIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The second paragraph of section 20 of chapter 175 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by inserting after the word "reinsured", in lines 10 and 11, the following words:- , or unless balances due from the reinsurer are absolutely secured to such life company by any of, or a combination of, the following: funds withheld from such reinsurer and under the exclusive control of such life company, securities on deposit with and under the exclusive control of such life company and valued in accordance with the requirements of section eleven, or funds held in trust in a bank authorized to do business pursuant to the laws of any state or of the United States but only if such funds are subject to withdrawal by and under the exclusive control of such life company..

House of Representatives, May 15, 1987.

Passed to be enacted, *George Korman*, Speaker.

In Senate, May 16, 1987.

Passed to be enacted, *William W. Bulger*, President.

May 29, 1987.

Approved,

Michael Dukakis, Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO MEDICAL MALPRACTICE DEFERRED PREMIUM LIABILITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Subsection (3) of section 38 of chapter 351 of the acts of 1986 is hereby amended by inserting after the penultimate sentence the following sentences:-

No such separate rate, for the recovery of outstanding total deferred premium liability with respect to policies of medical malpractice insurance issued or renewed by any medical malpractice joint underwriting association on or after July first, nineteen hundred and eighty-seven, shall be recovered from any insured if that insured was not covered by any medical malpractice joint underwriting association policy issued on or after July first, nineteen hundred and eighty-three, and before July first, nineteen hundred and eighty-six. A proportional rate in full satisfaction of such separate rate which may be recovered from any insured who was covered by medical malpractice joint underwriting association policies issued on or after July first, nineteen hundred and eighty-three, and before July first, nineteen hundred and eighty-six shall be recovered in the following manner: An insured who was covered by a policy issued or renewed by the joint underwriting association during the period July first, nineteen hundred and eighty-three through June thirtieth, nineteen hundred and eighty-four shall pay twenty per cent of such separate rate; and an insured who was covered by a policy issued or renewed by the joint underwriting association during the period July first, nineteen hundred and eighty-four through June thirtieth, nineteen hundred and eighty-five shall pay thirty per cent of such separate rate; and an insured who was covered by a policy issued or renewed by the joint underwriting association during the period July first, nineteen hundred and eighty-five through June thirtieth, nineteen hundred and eighty-six shall pay fifty per cent of such separate rate. The foregoing proportional rate shall not affect the calculation of the separate rate under this section on policies issued during the period July first, nineteen hundred and eighty-seven through June thirtieth, nineteen hun-

dred and eighty-eight, but will be considered by the Commissioner in his determination of the separate rate in subsequent years, commencing with his determination applicable to policies issued on or after July first, nineteen hundred and eighty-eight.

House of Representatives, June 23, 1987.

Passed to be enacted,

George Luernan, Speaker.

In Senate, June 23, 1987.

Passed to be enacted,

William M. Bulger, President.

June 25, 1987.

Approved,

Richard R. Kahan, Governor.



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS
GOVERNOR

June 25, 1987

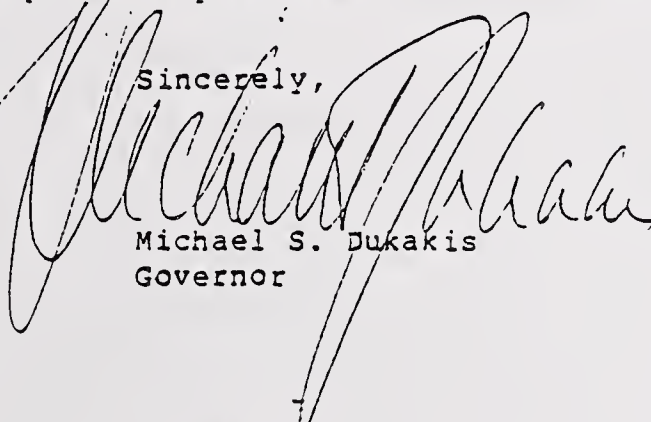
The Honorable Michael Joseph Connolly
Secretary of the Commonwealth
State House, Room 340
Boston, MA 02133

Dear Secretary Connolly:

I, Michael S. Dukakis, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare, in my opinion, the immediate preservation of the public peace, health, safety or convenience requires that the attached Act, Chapter 169 of the Acts of 1987, entitled "An Act Relative to Medical Malpractice Deferred Premium Liability", the enactment of which received my approval on June 25, 1987, should take effect forthwith.

I further declare that, in my opinion, it is in the public interest that this Act take effect immediately in order to establish a fair and timely mechanism for the recovery of certain deferred medical malpractice premiums.

Sincerely,


Michael S. Dukakis
Governor

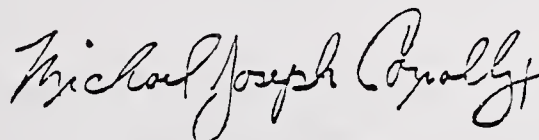
MSD:
Attachment

OFFICE OF THE SECRETARY,

Boston,

June 25, 1987

I, Michael Joseph Connolly, Secretary of State, hereby certify that the accompanying statement was filed in this Office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and twenty-seven minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said Chapter takes effect forthwith, being chapter one hundred and sixty-nine of the Acts of nineteen hundred and eight-seven.



MICHAEL JOSEPH CONNOLLY,
Secretary of State.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO THE MASSACHUSETTS CRIME INSURANCE PROGRAM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate the Massachusetts Crime Insurance Program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. _____

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 102D the following section:-

Section 102E. Any insurance companies authorized to transact business under clause Twelfth of section forty-seven and notifying the commissioner of their participation in a plan approved by the commissioner to succeed the Federal Crime Insurance Program established pursuant to Title VI of the Housing and Urban Development Act of 1970 may join together in a pool or otherwise to provide insurance and issue a policy of insurance for the risks described in said clause Twelfth of said section forty-seven, and in connection therewith shall use the service of a facility or association approved under chapter one hundred and seventy-five C. Any such policy shall be issued in the name of the Massachusetts Crime Insurance Program by such facility or association and any notice, sworn statement or proof of loss which may be required by the provisions of said policy shall be rendered, made or given to said facility or association and such notice, sworn statement or proof of loss so rendered, made or given shall be valid and binding as to all participating insurers. In any action or suit under the policy, service of process shall be made on such facility or association and such service shall be deemed valid and binding service upon all participating insurers.

Policies issued by any mutual company under the authority of this section need not conform to the requirements of sections seventy-six, eighty and eighty-one applicable to other policies issued by such companies.

House of Representatives, July / , 1987

Preamble adopted,

George Lencuan

, Speaker.

In Senate, July / , 1987.

Preamble adopted,

William W. Bulger

, President.

House of Representatives, July 2 , 1987.

Bill passed to be enacted,

George Lencuan

, Speaker.

In Senate, July 2 , 1987.

Bill passed to be enacted,

William W. Bulger

, President.

July 14 , 1987.

Approved,

at TWO . o'clock and 30 minutes, P . M.

Richard P. Moore Governor.

Chapter 246.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING FOR LOCAL OPTION INSURANCE COVERAGE OF RESERVE, PERMANENT-INTERMITTENT OR CALL FIREFIGHTERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 32B of the General Laws is hereby amended by inserting after section 2A the following section:-

Section 2B. In governmental units which accept the provisions of this section, reserve, permanent-intermittent or call firefighters shall be considered employees under this chapter, notwithstanding the definition of "Employee" in section two, and upon retirement shall be considered retirees under this chapter.

House of Representatives, July 2, 1987.

Passed to be enacted, *George Luernan*, Speaker.

In Senate, July 2, 1987.

Passed to be enacted, *William W. Bulger*, President.

July 14, 1987.

Approved,

Michael Dukakis Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT AUTHORIZING THE BELMONT FIREMEN'S RELIEF ASSOCIATION INC., TO PAY CERTAIN BENEFITS TO ITS MEMBERS UPON THEIR RETIREMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The Belmont Firemen's Relief Association Inc., a corporation duly established under the provisions of chapter one hundred and seventy-six of the General Laws, is hereby authorized to pay any member in good standing who retires or who retired after January first, nineteen hundred and eighty-seven, after serving as a permanent firefighter in the fire department of the town of Belmont, if he so elects by a writing filed by him with the secretary of said corporation within sixty days after his retirement, from the death benefit fund of said corporation, a sum equal to one-half of said death benefit as a retirement payment, and he shall remain a member of said corporation, subject to a member's obligations and entitled to a member's benefits, except that the death benefit payable upon his death shall be an amount equal to the difference between the amount so received as such retirement payment and the amount of the death benefit then provided by the by-laws of said corporation.

House of Representatives, July 7, 1987.

Passed to be enacted, *George J. Amodeo*, Speaker.

In Senate, July 7, 1987.

Passed to be enacted, *William M. Bulger*, President.

July 14, 1987.

Approved,

William M. Bulger Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING THE RETURN OF MOTOR VEHICLE NUMBER PLATES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Provision (2)A of section 113A of chapter 175 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by adding the following paragraph:-

The company shall not issue a return premium upon cancellation of the policy until the insured has presented to the company a receipt or other document showing that the number plates assigned to the insured motor vehicle have been returned to the registry of motor vehicles; provided however, that a company shall return a premium upon cancellation of the policy to an agent or broker or premium finance company without said receipt.

House of Representatives, July / , 1987.

Passed to be enacted, *George Leneman*, Speaker.

In Senate, July / , 1987.

Passed to be enacted, *William M. Bulger*, President.

July 14 , 1987.

Approved,

William M. Bulger
Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT AUTHORIZING THE DISSOLUTION OF THE STOUGHTON FIREFIGHTERS RELIEF ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Notwithstanding the provisions of any general or special law to the contrary, the Stoughton Firefighters Relief Association, a corporation duly established under the laws of the commonwealth, is hereby authorized to dissolve said corporation and to donate any remaining funds of said corporation to the house fund, so-called, of the firefighters of said town of Stoughton.

House of Representatives, July 2, 1987.

Passed to be enacted,

George Luerman

, Speaker.

In Senate, July 2, 1987.

Passed to be enacted,

William M. Egan

, President.

July 14, 1987.

Approved,

Robert M. Healy

Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING THE LICENSING OF INSURANCE AGENTS AND BROKERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 174E of chapter 175 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs:-

No such license as described in sections one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and seventy-two A, one hundred and seventy-three and one hundred and seventy-four shall be issued to any bank or mortgage company or any officer, agent, representative or employee of any such bank or mortgage company, unless such bank or mortgage company held such license or licenses as described herein prior to October eleventh, nineteen hundred and seventy-two. Nothing contained herein shall be construed to prohibit a licensed insurance agent or broker from serving as a director or advisory board member of any such bank or mortgage company; nor shall this prohibition apply to a licensed insurance agent or broker who is also an officer, agent, representative or employee of such bank or mortgage company when the insurance business of such agent or broker is in no material way connected with such bank or mortgage company or their borrowers. For the purposes of this section, the insurance business of such agent or broker shall be presumed to be materially connected with such bank or mortgage company or their borrowers when ten percentum or more of the aggregate net commissions received by such insurance agent or broker during the term of any prior license or renewal, or which would probably be received during the term of a new license thereunder, resulted or would result from insurance written on behalf of such bank or mortgage company, or any of their borrowers.

Nothing contained herein shall be construed to prohibit any such bank or mortgage company from making loans to or otherwise financing a licensed insurance broker, agent or agency and, in connection therewith taking a security

interest in the assets of such broker, agent or agency, and nothing in this section shall prevent any such bank or mortgage company from acquiring any assets of such broker, agent or agency in satisfaction of any debt previously contracted or that shall be obtained by sale or foreclosure of any security held by such bank or mortgage company; provided, however, that if the assets so obtained are prohibited by this section, such bank or mortgage company shall dispose of such assets within one year of the date it acquired title to the same, unless the commissioner shall extend the time for such disposition for the reason that the interests of such bank or mortgage company or debtor will suffer materially by a forced sale of such property. In the event the commissioner grants such an extension, he shall make a record of such extension and, in that event, the sale of said property may be made at any time before the expiration of the time of such extension. The commissioner may, at any time, for cause shown and after hearing, revoke any agent's or broker's license or suspend it for a period not exceeding the unexpired term thereof, and may for causes shown and after a hearing, revoke the license while so suspended, if he finds that the holder of such license is violating this section.

House of Representatives, July 2, 1987.

Passed to be enacted, *George Kucman*, Speaker.

In Senate, July 2, 1987.

Passed to be enacted, *William M. Gulger*, President.

July 14, 1987.

Approved,

Richard P. ... Governor.

Chapter 263.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven.

AN ACT RELATIVE TO THE CLASSIFICATION OF SAILMAKER SHOPS FOR FIRE INSUR-
ANCE.

*Be it enacted by the Senate and House of Representatives in General Court
assembled, and by the authority of the same, as follows:*

Chapter 175 of the General Laws is hereby amended by inserting a new sec-
tion 99B, inserted by section 3 of chapter 137 of the acts of 1985, the fol-
lowing section:-

Section 99C. There shall be established a separate classification for
sailmaker shops for companies issuing policies or contracts which insure
against loss or damage by fire or by fire and lightning to property or inter-
ests in the commonwealth.

House of Representatives, July 2, 1987.

Passed to be enacted,

George J. Leeman

, Speaker.

In Senate, July 2, 1987.

Passed to be enacted,

William W. Bulger

, President.

July 14, 1987.

Approved,

Robert M. Healy

Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT ESTABLISHING A LIABILITY INSURANCE FUND IN THE TOWN OF AMHERST.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Amherst may appropriate in each fiscal year an amount not exceeding one-twentieth of one per cent of its equalized valuation as defined in section one of chapter forty-four to establish and maintain a special fund to be known as the town of Amherst's Liability Insurance Fund; provided, however, that no such appropriation may be made in any fiscal year when the aggregate amount in said fund equals or exceeds one per cent of such equalized valuation. Any interest earned on the amount appropriated to such fund shall be added to and become part of the fund.

The commissioners of trust funds of the town of Amherst shall be the custodian and administrator of this fund and may deposit or invest the fund in such manner as may be lawful under section fifty-four of chapter forty-four of the General Laws for the investment of municipal trust funds.

Each fiscal year, the commissioners shall pay from the amount in the fund including the interest thereon such amounts as the town counsel determines to be necessary from time to time to settle claims against the town of Amherst and to cover the costs of defending the town of Amherst against such claims including without limitation the costs of employing legal counsel, court costs, and filing fees. The commissioners shall also pay from the amount in the fund including the interest thereon such amounts as the town manager determines are necessary to effect insurance to protect the town of Amherst against some or all of such claims. Any amount in the fund which is not paid out by the commissioners in accordance with this act which remains in the fund at the end of a fiscal year shall be added to the fund to be paid out by the commissioners in subsequent years in accordance with this act.

SECTION 2. This act shall take effect upon its passage.

House of Representatives, July 2, 1987.

Passed to be enacted, *George Luinian*, Speaker.

In Senate, July 2, 1987.

Passed to be enacted, *William M. Bulger*, President.

July 15, 1987.

Approved,

at Four o'clock and 35 minutes, P. M.

William M. Bulger
Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER DEFINING THE RESPONSIBILITIES, DUTIES AND LIABILITIES OF SKIERS AND SKI AREA OPERATORS RELATIVE TO THOSE RISKS INHERENT IN THE SPORT OF SKIING, AND TO STABILIZE MASSACHUSETTS SKI AREAS' LIABILITY INSURANCE COSTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The second paragraph of section 71 O of chapter 143 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by inserting after the fourth sentence the following two sentences:- A skier shall be presumed to know the range of his own ability to ski on any slope, trail or area. A skier shall be presumed to know of the existence of certain unavoidable risks inherent in the sport of skiing, which shall include, but not be limited to, variations in terrain, surface or subsurface snow, ice conditions or bare spots, and shall assume the risk of injury or loss caused by such inherent risks.

House of Representatives, July 8, 1987.

Passed to be enacted,

George Luinian, Speaker.

In Senate, July 9, 1987.

Passed to be enacted,

Walter J. Sweeney, Acting President.

July 21, 1987.

Approved,

Michael Dukakis, Governor.

. THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO CERTAIN BENEFITS PAYABLE BY THE WALTHAM POLICE RELIEF ASSOCIATION INCORPORATED.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter one hundred and thirty-six of the acts of nineteen hundred and eighty-two is hereby repealed.

SECTION 2. Chapter 314 of the acts of 1959 is hereby amended by striking out section 1, as most recently amended by chapter 592 of the acts of 1969, and inserting in place thereof the following section:-

Section 1. The Waltham Police Relief Association Incorporated, a corporation duly organized under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing from the police department of the city of Waltham, to pay such member such sum, not exceeding ten thousand dollars, as may be determined by vote of the board of directors of said corporation. Said association is further authorized, upon the death of a member, to pay to the designated beneficiary of said member, an amount, not exceeding twenty thousand dollars, as may be determined by said board. Said Association is hereby further authorized to pay a member upon the death of his spouse such sum, not exceeding five hundred dollars, as may be determined by said board.

SECTION 3. This act shall take effect upon its passage.

House of Representatives, July 20, 1987.

Passed to be enacted, *George Luennan*, Speaker.

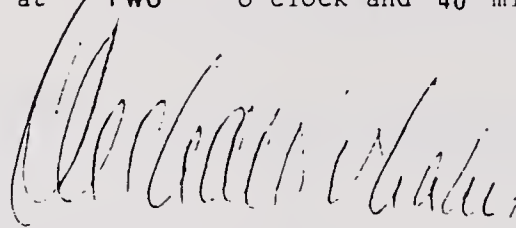
In Senate, July 20, 1987.

Passed to be enacted, *William M. Bulger*, President.

July 23 , 1987.

Approved,

at Two o'clock and 40 minutes, P. M.

 Governor.

Chapter 337.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT AUTHORIZING THE PEABODY POLICE RELIEF ASSOCIATION TO PAY CERTAIN SUMS OF MONEY TO MEMBERS UPON THE DEATH OF THEIR SPOUSES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The Peabody Police Relief Association, a corporation duly established under the laws of the commonwealth, is hereby authorized to pay to a member in good standing of said corporation, upon the death of his spouse, one-half the current death benefit. Any amount so paid shall reduce the death benefit otherwise payable upon the death of any such member.

House of Representatives, July 15, 1987.

Passed to be enacted,

George Kimball, Speaker.

In Senate, July 15, 1987.

Passed to be enacted,

William M. Bulger, President.

July 23, 1987.

Approved,

William M. Bulger, Governor.

Chapter 307.
THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT REQUIRING INSURANCE COVERAGE FOR PLUMBING AND GAS FITTING CONTRACTORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 142 of the General Laws is hereby amended by inserting after section 21 the following section:-

Section 21A. Notwithstanding the provisions of any general or special law to the contrary, no permit for the performance of plumbing and gas fitting work pursuant to this chapter shall be issued by any city or town unless the licensee provides proof of liability insurance, including "completed operation" coverage, which has been issued by an insurance company licensed to do business within the commonwealth, or a bond or other type of indemnity against liability providing substantially equivalent coverage.

House of Representatives, August 6, 1987.

Passed to be enacted,

George Kuvshinov

, Speaker.

In Senate, August 6, 1987.

Passed to be enacted,

Walter B. Brown

Acting
, President.

August 11, 1987.

Approved,

Richard D. Parsons

Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING GROUP INSURANCE BENEFITS FOR CERTAIN EMPLOYEES IN THE CITY KNOWN AS THE TOWN OF METHUEN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Notwithstanding the provisions of chapter thirty-two B of the General Laws, relative to employees included in Local 122 of the Federation of State, City and Town Employees, or retired employees previously so included, the city known as the Town of Methuen may, as part of the total monthly cost of contracts of insurance, authorized by sections three and eleven C of said chapter thirty-two B with contributions as required by section seven thereof, make payment of a subsidiary or additional rate, which may be lower or higher than a premium determined by said city to be paid by the insured, the combination of which shall result in such city making payment of more, but not less, than fifty per cent of the total monthly cost for such insurance for said employees.


(a) With respect to any period of insurance which is in effect for such active or retired employee and dependent, there shall be withheld from each payment of salary, wages, other compensation, pension or retirement allowance, subject to the provisions of section nine E of said chapter thirty-two B fifty per cent of a premium for the insurance of the employee and his dependent and said city shall contribute the remaining fifty per cent of such premium together with any subsidiary or additional rate. Said city shall also contribute fifty per cent of a premium together with any subsidiary or additional rate which may be required of an employee's dependent child who is nineteen years of age or over and mentally or physically incapable of earning his own living.

(b) If such active or retired employee is entitled to receive, during a calendar month, salary, wages, other compensation, pension or retirement allowance, and the premium has not been withheld from said salary, wages, other compensation, pension or retirement allowance, he may continue his insurance

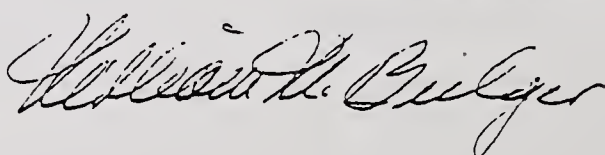
in effect by paying directly to the city the premium which would otherwise have been deducted from his salary or pension and the city shall contribute the remaining fifty per cent of the premium together with any subsidiary or additional rate. If an employee is not entitled to receive salary, wages, or other compensation for a calendar month, for purposes of this act he shall be deemed to have been granted a leave of absence without pay, and he shall make payment for the entire cost of his insurance to said city as aforesaid, and there shall be no contribution by the city for such employee's insurance. If an employee is not entitled to receive salary, wages or other compensation for any calendar month, due to illness of such employee and not because of illness of his immediate family, for purposes of this act he shall be deemed to have been granted sick leave without pay, and subject to the rules and regulations of the appropriate public authority, said employee shall make payment of fifty per cent of the premium for his insurance to the treasurer of said city and said city shall contribute the remaining fifty per cent of such premium together with any subsidiary or additional rate.

(c) All amounts withheld from an employee's salary, wages or other compensation as provided in subsection (a) and all amounts paid by an employee as provided in subsection (b) and all amounts withheld from retired employees as retirement allowances under the provisions of section nineteen A of chapter thirty-two of the General Laws together with the contribution of the city as provided in subsection (a) shall be paid by the treasurer of said city to the carrier or carriers entitled to the total premium and subsidiary or additional rate, if any.

House of Representatives, July 14, 1987.

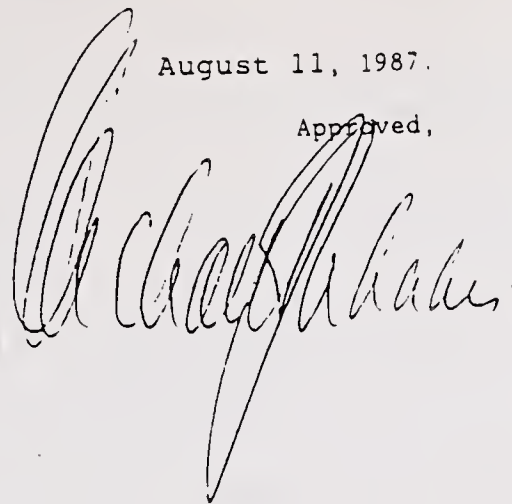
Passed to be enacted,  , Speaker.

In Senate, July 14, 1987.

Passed to be enacted,  , President.

August 11, 1987.

Approved,

 Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO CERTAIN AUTOMOBILE INSURANCE PAYMENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 189 of the acts of 1987 is hereby amended by adding the following section:-

Section 2. This act shall take effect on July first, nineteen hundred and eighty-eight.

House of Representatives, September 28, 1987.

Passed to be enacted,

George J. Tannen, Speaker.

In Senate, September 29, 1987.

Passed to be enacted,

William M. Bulger, President.

September 30, 1987.

Approved,

Richard S. Cooney Governor.



MICHAEL S. DUKAKIS
GOVERNOR

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

September 30, 1987

The Honorable Michael Joseph Connolly
Secretary of the Commonwealth
State House, Room 340
Boston, MA 02133

Dear Secretary Connolly:

I, Michael S. Dukakis, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution of the Commonwealth of Massachusetts, the Referendum, II, hereby declare that, in my opinion, the immediate preservation of the public peace, health, safety or convenience requires that the attached Act, Chapter 370 of the Acts of 1987, entitled "An Act Relative to Certain Automobile Insurance Payments", the enactment of which received my approval on September 30, 1987, should take effect forthwith.

I further declare that, in my opinion, it is in the public interest that this Act take effect immediately in order to ensure that certain requirements concerning automobile insurance payments for collision repair take effect on July first, nineteen hundred and eighty-eight, as intended.

Sincerely,

Michael S. Dukakis
Michael S. Dukakis
Governor

MSD:tkk
2998F

OFFICE OF THE SECRETARY,

Boston,

September 30, 1987.

I, Michael Joseph Connolly, Secretary of State, hereby certify that the accompanying statement was filed in this Office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and seven minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said Chapter takes effect forthwith, being chapter three hundred and seventy of the Acts of nineteen hundred and eighty-seven.

Michael Joseph Connolly
MICHAEL JOSEPH CONNOLLY,
Secretary of State.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO CERTAIN INSURANCE PREMIUMS PAYABLE BY THE SURVIVING SPOUSES OF CERTAIN MUNICIPAL EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 32B of the General Laws is hereby amended by inserting after section 9D 1/2 the following section:-

Section 9D 3/4. A county, except Worcester county, by vote of the county commissioners; a city having a Plan D or Plan E charter by majority vote of its city council, and any other city by vote of its city council, approved by the mayor; a district, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; a regional school district by vote of the regional district school committee; a veterans' services district by vote of the district board; a welfare district by vote of the district welfare committee; a district established under the provisions of section twenty-seven A of chapter one hundred and eleven by vote of the joint committee; may if such county, city or district has not accepted the provisions of sections nine D or nine D 1/2, provide that it will pay an amount less than one-half the amount of the premium to be paid by the surviving spouse of an insured employee or a retired employee for hospital, surgical, medical, dental and other health insurance continued as provided in section nine B. A town which has not accepted the provisions of section nine D or nine D 1/2 shall provide for such payment either by vote of the town, or by a majority of affirmative votes cast in answer to the following question which shall be printed upon the official ballot to be used at an election in said town: "Shall the town pay an amount up to one-half of the premium costs payable by the surviving spouse of an employee or retired employee for group general or blanket hospital, surgical, medical, dental or other health insurance?"

Payment of the entire premium by the surviving spouse as required by section nine B shall not apply in any governmental unit which accepts the provisions of this section.

House of Representatives, September 30, 1987.

Passed to be enacted,

George J. Lujan, Speaker.

In Senate, October 1, 1987.

Passed to be enacted,

William M. Bulger, President.

October 13, 1987.

Approved,

Richard J. Hughes
Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO MEDICAL MALPRACTICE INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, on or before September first of the calendar year preceding the date by which the commissioner shall fix and establish classifications of risks and premium charges pursuant to section five A, of chapter one hundred and seventy-five A of the General Laws each dental service corporation established under the provisions of chapter one hundred and seventy-six E shall file with the commissioner of insurance such data as will show the percentage of total revenues for dentists in the commonwealth, which is attributable to payments by it which are subject to limitations on charges and collections imposed by contractual agreement of such dental service corporation, and the percentage of such total revenues which is attributable to payments by it under policies providing supplemental coverage to health insurance provided under Title XVIII of the Social Security Act, if any. Any interested party, including, without limitation, organizations of dentists and agencies of the commonwealth or of the United States, may file, within the same time period, data relating to the total revenues for dentists in the commonwealth and the percentage share thereof paid by:

(a) dental service corporations for services which are subject to limitations on charges and collections imposed by contractual agreement of such dental service corporations;

(b) governmental units as to which the rates of payment for professional services to dentists are fixed and established by the rate setting commission pursuant to section thirty-two of chapter six A of the General Laws;

(c) insurers under chapter one hundred and fifty-two of the General Laws;

(d) health insurance under Title XVIII of the Social Security Act;

(e) dental service corporations under policies providing supplemental coverage to health insurance provided under Title XVIII of the Social Security Act, if any; and

(f) all other payors, including, without limitation, dental service corporations to the extent their payments are not included in clauses (a) to (e), inclusive, of this paragraph.

The commissioner of insurance may require any insurer, health maintenance organization or other payor making payments to dentists in the commonwealth for dental services, to file data that will show such payor's total payments to dentists in the commonwealth during such prior time period as the commissioner of insurance shall specify, and such other or further data as may be necessary to carry out the provisions of this act.

No later than November first, the commissioner shall hold a hearing to determine, based on the data filed by dental service corporations or any other party, or on other data or reasonable estimates available to him and introduced into the record in the said hearing the percentage share of total revenues for dentists, in the commonwealth, paid by the following:

(a) dental service corporations for services which are subject to limitations on charges and collections imposed by contractual agreement of such dental service corporations;

(b) governmental units as to which the rates of payment for professional services to dentists are fixed and established by the rate setting commission pursuant to section thirty-two of chapter six A of the General Laws;

(c) insurers under chapter one hundred and fifty-two of the General Laws;

(d) health insurance under Title XVIII of the Social Security Act;

(e) dental service corporations under policies providing supplemental coverage to health insurance under Title XVIII of the Social Security Act, if any; and

(f) all other payors, including, without limitation, dental service corporations to the extent their payments are not included in clauses (a) to (e), inclusive, of this paragraph. Said determination shall be made no later than March first of the succeeding calendar year.

Any interested party, which has filed data relating to the said percentages of total revenues for dentists and the medical malpractice analysis bureau, shall be entitled to participate in the hearing thereon, to present oral and written evidence, to examine and cross-examine witnesses, to review all information and materials filed with or relied on by the commissioner of insurance, and to submit briefs or position papers to any determination by the commissioner of insurance.

Any interested party which has participated in said hearing and is aggrieved by any action, order, finding or decision of the commissioner of insurance under this act may, within twenty days from the filing of his decision thereof in his office, file a complaint in the supreme judicial court for the county of Suffolk for a review of such action, order, finding or decision, and serve a copy thereof upon the commissioner of insurance and the attorney general. Within twenty days after the service of said complaint, the complaint shall be assigned for a speedy and summary hearing on the merits. The action, order, finding or decision of the commissioner of insurance shall remain in full force and effect pending the final decision of the court. The court shall have jurisdiction to modify, amend, annul, reverse or affirm such action, order, finding or decision, but such action, order, finding or decision shall not be modified, amended, annulled or reversed, unless the court finds that the commissioner of insurance erred as a matter of law, or that the decision was unsupported by any evidence in the record, with every reasonable inference in support of the decision made therefrom. The decision of the court shall be final and conclusive on the parties. The court shall make such rules or orders as it deems proper governing proceedings under this section to secure prompt and speedy hearings and to expedite final decisions thereon. In the event that the court modifies, amends, annuls or reverses such action, order, finding or decision, the decision of the court shall be implemented by the commissioner in the next hearing, commenced pursuant to this section, following said decision.

Payment made by any dental service corporation relating to services subject to limitations on charges and collections imposed by contractual agreement of such dental service corporation which are rendered by participating dentists covered by policies of medical malpractice insurance shall be adjusted for changes in medical malpractice premium charges fixed and established pursuant to section five A of chapter one hundred and seventy-five A of the General Laws. The dental service corporation's payment shall be the amount of the total malpractice adjustment for that procedure code in addition to the amount paid to the participating dentist for that procedure.

The total adjustments shall be sufficient to generate, over a twelve month period, additional payments to participating dentists equal to the total dollar increase in medical malpractice insurance premium charges over the charges which were fixed and established by the decision of August twentieth, nineteen

hundred and eighty-six, multiplied by the following fraction: (a) the numerator shall be the per cent of total revenues for dentists, which the dental service corporation's payments for services subject to limitations on charges and collections imposed by contractual agreement of such dental service corporation constitute, plus one-half of the per cent of total revenues for dentists, paid by health insurance under Title XVIII of the Social Security Act; and (b) the denominator shall be one hundred per cent minus the per cent of total revenues for dentists, paid by the dental service corporation under policies providing supplemental coverage to health insurance under Title XVIII of the Social Security Act, if any. In the event that medical malpractice insurance premium charges decrease, negative adjustments shall be made pursuant to the same formula.

Any participating dentist, when filing a request for payment based on a procedure code with said dental service corporation, shall be allowed to include the dollar amount of the total adjustment allocated for that procedure code; provided, however, that said dollar amount shall not be separately stated. Upon submission of such dollar amount by the participating dentist, the dental service corporation shall include all of that dollar amount in the amount paid to the participating dentist for that procedure code. No change in medical malpractice insurance premium charges shall be approved by the commissioner of insurance until he has determined the percentage shares of total revenues for dentists paid by the dental service corporations and others as provided herein. The adjustment to payments by the dental service corporation shall take effect with the next regularly scheduled change in payments following the change in medical malpractice insurance premiums; provided, however, that said next regularly scheduled change in payments shall not be less than ninety days following the decision fixing and establishing total adjustments. The dental service corporation shall make available to participating dentists a list of the adjustments by the procedure code that have been made prior to the next regularly scheduled change in payments. The dental service corporation shall also provide said list to the division of insurance, which shall make available such list upon request.

Whenever the premiums, rates or subscription charges of a dental service corporation are subject to regulation by the commissioner of insurance, the commissioner of insurance shall allow such corporation to include within its premiums, rates or subscription charges such adjusted payments to participa-

ting dentists, effective as of the date that such adjusted payments were first implemented.

The commissioner shall determine the methodology pursuant to which each dental service corporation shall allocate the total adjustments among procedure codes in order that payments to participating dentists are apportioned among the risk classifications established by the commissioner under section five A. The methodology will provide for application of the adjustments to usual charge levels for each participating dentist and to customary charge levels, in each instance separately stated by procedure code. For purposes of this act the commissioner shall make this determination on a biennial basis; provided, however, that upon the motion of any party at any future hearing under this act the commissioner shall review the methodology previously approved by him and approve such changes as may be necessary in order that the allocation methodology apportion such payments in accordance with this paragraph.

For purposes of this act "participating dentist" shall mean a registered dentist who agrees in writing with a dental service corporation to perform dental service for subscribers and covered dependents and to abide by the by-laws, rules and regulations of such corporation.

SECTION 2. The total adjustments to payments by dental service corporations to participating dentists established in section one of this act shall be applicable to payments by said dental service corporations to said participating dentists commencing on the next regularly scheduled change in payments following June first, nineteen hundred and eighty-nine.

SECTION 3. The provisions of section one shall terminate upon the completion of the rate period ending June thirtieth, nineteen hundred and ninety-two.

House of Representatives, November 24, 1987.

Passed to be enacted,

George Luernan, Speaker.

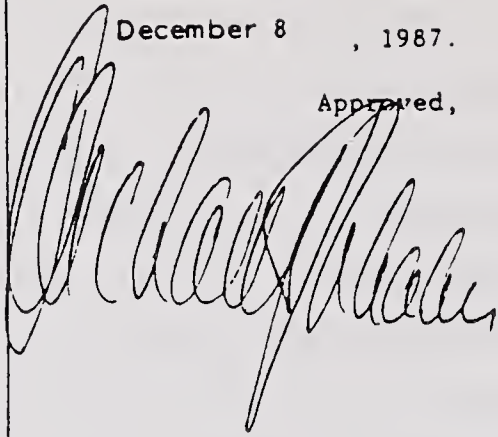
In Senate, November 25, 1987.

Passed to be enacted,

Walter J. Brennan, Acting President.

December 8 , 1987.

Approved,

A large, stylized handwritten signature in black ink, likely belonging to the Governor, is written over the word "Approved,".

Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT CLARIFYING PROCEDURES FOR NOTIFYING GOVERNMENTAL UNITS OF CLAIMS BY EMPLOYEES UNDER A GROUP INSURANCE CONTRACT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The first paragraph of section 3 of chapter 32B of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after the third sentence the following two sentences:- Said policy, or policies, including policies purchased under authority of sections three A and sixteen, shall contain a requirement that the insurance company, savings bank, nonprofit hospital, medical, dental or other service corporations, other intermediary or health care organizations, shall furnish the governmental unit, or its designee, all nonconfidential claims without diagnosis on a form satisfactory to the governmental unit including, but not limited to, computer tape, disc or unlined paper reports. Said insurer may, pursuant to a contract between said insurer and said governmental unit, charge the governmental unit a reasonable fee to cover the costs of providing the nonconfidential claims in the form requested by the governmental unit.

House of Representatives, November 23, 1987.

Passed to be enacted,

George J. Fenechian, Speaker.
In Senate, November 23, 1987.

Passed to be enacted,

William M. Bulger, President.
December 14, 1987.

Approved,

Michael Dukakis, Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING THE JOINT UNDERWRITING ASSOCIATION FOR LIQUOR LIABILITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 5 of chapter 223 of the acts of 1985 is hereby amended by adding the following sentence:- The Joint Underwriting Association may recommend to the commissioner that a system of premium surcharges and credits based upon claim frequency and loss experience be established.

SECTION 2. Section 8 of said chapter 223 is hereby amended by striking out, in line 1, the word "thirteen" and inserting in place thereof the word:- fifteen.

SECTION 3. Said section 8 of said chapter 223 is hereby further amended by striking out, in line 5, the word "Four" and inserting in place thereof the word:- Six.

SECTION 4. Said chapter 223 is hereby further amended by striking out section 13 and inserting in place thereof the following section:-

Section 13. Sections one to twelve, inclusive, of this act shall expire on December thirty-first, nineteen hundred and eighty-nine.

House of Representatives, December 22, 1987.

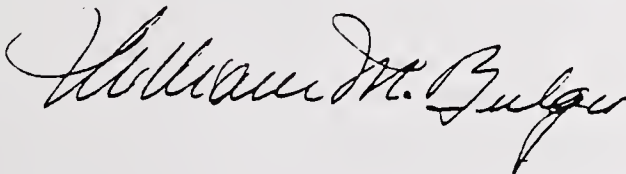
Passed to be enacted,



, Speaker.

In Senate, December 23, 1987.

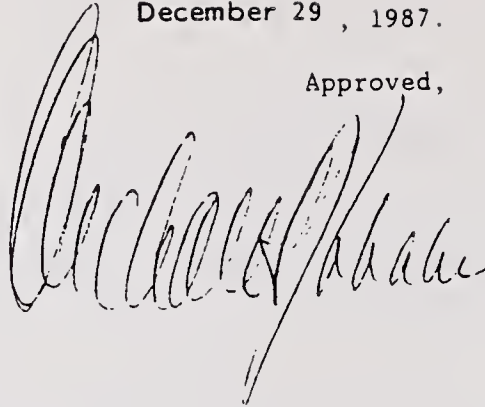
Passed to be enacted,



, President.

December 29 , 1987.

Approved,

 Governor.



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS
GOVERNOR

December 29, 1987

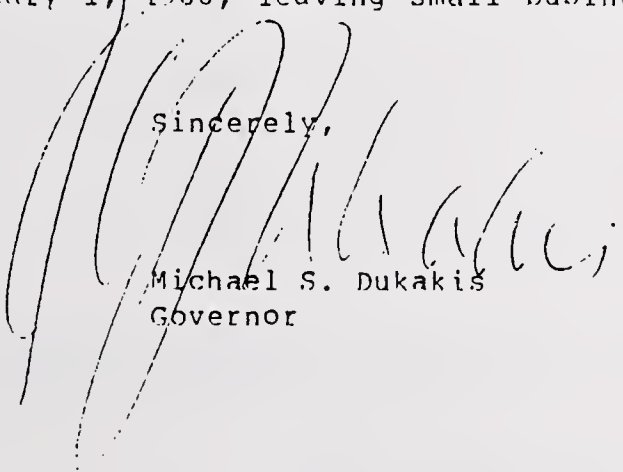
The Honorable Michael Joseph Connolly
Secretary of the Commonwealth
State House, Room 340
Boston, MA 02133

Dear Secretary Connolly:

I, Michael S. Dukakis, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution of the Commonwealth of Massachusetts, the Referendum II, Emergency Measures, hereby declare that, in my opinion, the immediate preservation of the public peace, health, safety or convenience requires that the attached Act, Chapter 614 of the Acts of 1987, entitled "An Act Further Regulating The Joint Underwriting Association For Liquor Liability", the enactment of which received my approval on December 29, 1987, should take effect forthwith.

I further declare that, in my opinion, it is in the public interest that this Act take effect immediately in order to ensure that the Joint Underwriting Association would be able to issue insurance policies after January 1, 1988. The JUA would cease to exist as of January 1, 1988, leaving small businesses uninsured.

Sincerely,

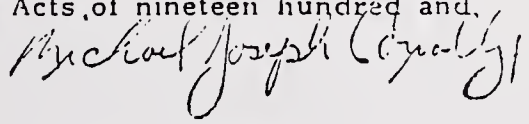

Michael S. Dukakis
Governor

MSD:cm
3222L

Attachment

OFFICE OF THE SECRETARY, Boston, December 30, 1987

I, Michael Joseph Connolly, Secretary of State, hereby certify that the accompanying statement was filed in this Office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and thirty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said Chapter takes effect forthwith, being chapter six hundred and fourteen of the Acts of nineteen hundred and eighty-seven.


MICHAEL JOSEPH CONNOLLY,
Secretary of State.

Chapter 627.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO THE WATERTOWN POLICE RELIEF ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Watertown Police Relief Association, Incorporated, a corporation duly established under the laws of the commonwealth, upon the retirement or death of a member pensioned after October seventh, nineteen hundred and eighty-seven, is hereby authorized to pay a death benefit not to exceed six thousand dollars. At the time of the retirement of a member in good standing, said member may receive up to two thousand, five hundred dollars. Any amount so paid shall reduce the death benefit otherwise payable on the death of such member.

SECTION 2. This act shall take effect upon its passage.

House of Representatives, December 22, 1987.

Passed to be enacted, , Speaker.

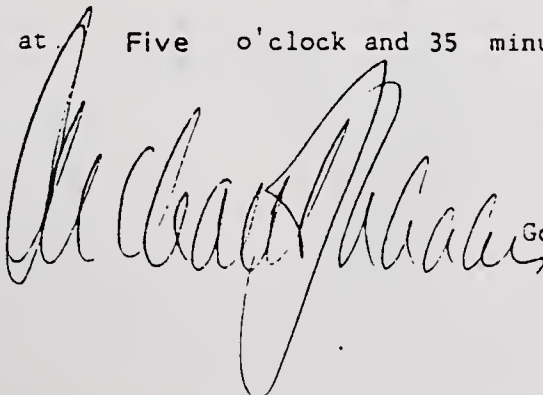
In Senate, December 22, 1987.

Passed to be enacted, , President.

December 30, 1987.

Approved,

at Five o'clock and 35 minutes, P. M.

 Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING RETIREMENT BENEFITS THAT MAY BE PAID BY THE HAVERHILL FIREMEN'S RELIEF ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 450 of the acts of 1975 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The Haverhill Firemen's Relief Association, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing, to pay to such member such sum, not exceeding one thousand five hundred dollars, as may be determined by vote of the directors of said corporation. Upon the receipt of such sum, such member shall cease to be a member of said association and shall not thereafter be eligible for any further benefits.

SECTION 2. This act shall take effect as of January first, nineteen hundred and eighty-eight.

House of Representatives, December 22, 1987.

Passed to be enacted,

George Leverian, Speaker.

In Senate, December 22, 1987.

Passed to be enacted,

William M. Bulger, President.

December 30, 1987.

Approved,

Debra M. Tannen Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO THE HAZARDOUS WASTE INSOLVENCY FUND.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The definition of "Covered claim" in section 15 of chapter 21C of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by striking out, in line 35, the word "eighty-eight" and inserting in place thereof the word:- ninety.

SECTION 2. Section 19 of said chapter 21C, as so appearing, is hereby amended by striking out, in line 19, the word "eighty-eight" and inserting in place thereof the word:- ninety.

SECTION 2A. Section 2 of chapter 21E of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after the definition of "Respond", the following two definitions:-

"Response action contract", any contract relating to the provision of services to assess, contain or remove oil or hazardous material which is entered into on or after the effective date of this definition between the commonwealth or any agency thereof, and a response action contractor.

"Response action contractor" or "contractor", an individual, partnership, corporation, association, joint venture or other commercial entity which enters into a response action contract with the commonwealth or any agency thereof and includes any such entity acting as a subcontractor to the primary response action contractor where such entity is performing services relating to the response action contract.

SECTION 2B. Said chapter 21E, as so appearing, is hereby further amended by adding the following three sections:-

Section 16. (a) A response action contractor with respect to any release or threatened release of oil or hazardous material shall not be strictly liable under this chapter nor under any other state law to any person for injuries, costs, damages, expenses or other liability including but not limited to claims for indemnification or contribution and claims by third parties for

death, personal injury, illness or loss of or damage to real or personal property or economic loss which results from such release or threatened release.

(b) The limitation of liability provided under subsection (a) shall apply only to response action contractor liability arising out of a release or threatened release of oil or hazardous material resulting from response actions conducted by the response action contractor.

(c) Any response action contractor who is otherwise liable under subsection (a) of section five for a release or threatened release of oil or hazardous material at a site shall not be entitled to any limitation of liability under this section by virtue of becoming a response action contractor at that site.

Section 17. (a) The commonwealth may enter into an indemnification agreement to indemnify and hold harmless any response action contractor who meets the requirements of this section against any liability for negligence, including legal fees and costs, if any, in an amount not to exceed a figure established by the indemnification agreement pursuant to the terms of this section. In no event shall the amount of indemnification to be provided under an indemnification agreement exceed two million dollars for a single occurrence involving the release or threatened release of oil or hazardous material. No indemnification shall be provided pursuant to an indemnification agreement under this section if the response action contractor acted in a grossly negligent, willful or malicious manner or if the act or omission which gives rise to a claim was not within the scope of the response action contract.

(b) The indemnification provided by subsection (a) shall not be available to any potentially responsible party with respect to any costs or damages caused by any act or omission of a response action contractor. Nothing in this section shall affect the liability under this chapter or under any state or federal law of any potentially responsible party.

(c) Indemnification under this section shall apply only to response action contractor liability arising out of a release or threatened release of oil or hazardous material resulting from response actions conducted by the response action contractor pursuant to its response action contract.

(d) Indemnification may be provided under this section only if the response action contractor and the commonwealth or an agency thereof enter into an indemnification agreement. An indemnification agreement may be entered in-

to by the commonwealth or any of its agencies only if the following requirements are met:

(1) The liability covered by the indemnification agreement exceeds or is not covered by insurance available to the response action contractor at a fair and reasonable price when entering into the response action contract, and adequate insurance to cover such liability is not generally available at the time the response action contract is entered into.

(2) The response action contractor has made diligent efforts to obtain insurance coverage for such liability from sources other than the commonwealth including diligent efforts to self-insure.

(3) In the case of a response action contract covering more than one site, the response action contractor agrees to make such diligent efforts to obtain insurance coverage each time the contractor begins work under the contract at a new site.

(e) Any indemnification agreement entered into under subsection (d) shall include specific terms and conditions under which the commonwealth will indemnify the contractor, such as the establishment of premiums, deductibles and limitations on available indemnification, and the provision of notice to the commonwealth in the event that a claim is asserted against the response action contractor.

(f) The commissioner of insurance shall provide information necessary to make the determination specified in clause (1) of subsection (d) through the publishing of an annual report on the availability of insurance for response action contractors generally, and by providing guidance to agencies of the commonwealth on an ongoing basis. The first of such reports shall be published within thirty days of the effective date of this section.

(g) Amounts expended pursuant to this section for indemnification of any person who is a response action contractor with respect to any release or threatened release, shall be considered a cost of response incurred by the commonwealth with respect to such release, and the commonwealth may seek recovery of such costs from other parties liable under section five.

Section 18. Any agency of the commonwealth is authorized to promulgate regulations as it deems necessary for the implementation and administration of sections sixteen and seventeen subject to the approval of the executive office of administration and finance. Failure to promulgate such regulations shall not affect any agency's right to enter into indemnification agreements under

said sections sixteen and seventeen nor the validity or enforceability of said sections or agreements.

Nothing in sections sixteen or seventeen shall affect the liability of any person under any warranty, nor the liability of an employer who is a response action contractor to any employee of such employer under any provision of law, including any provision relating to workers' compensation.

SECTION 3. Section 4 of chapter 10 of the acts of 1986 is hereby amended by striking out the word "eighty-eight", inserted by section 3 of chapter 628 of the acts of 1986, and inserting in place thereof the word:- ninety.

SECTION 4. The second paragraph of section 4A of said chapter 10 is hereby amended by striking out the word "eighty-eight", inserted by section 4 of said chapter 628, and inserting in place thereof the word:- ninety.

SECTION 5. Section 6 of said chapter 10 is hereby amended by striking out the word "eighty-eight", inserted by section 5 of said chapter 628, and inserting in place thereof the word:- ninety

House of Representatives, December 30, 1987.

Passed to be enacted,

George J. Limerian, Speaker.

In Senate, December 30, 1987.

Passed to be enacted,

William M. Bulger, President.

December 31, 1987.

Approved,

Richard D. Riordan, Governor.



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS
GOVERNOR

December 31, 1987

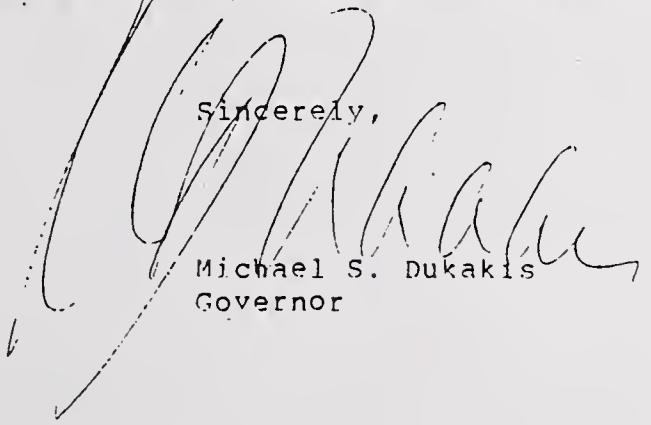
The Honorable Michael Joseph Connolly
Secretary of the Commonwealth
State House, Room 340
Boston, MA 02133

Dear Secretary Connolly:

I, Michael S. Dukakis, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution of the Commonwealth of Massachusetts, the Referendum II, Emergency Measures, hereby declare that, in my opinion, the immediate preservation of the public peace, health, safety or convenience requires that the attached Act, Chapter 642 of the Acts of 1987, entitled "An Act Relative To The Hazardous Waste Insolvency Fund", the enactment of which received my approval on December 31, 1987, should take effect forthwith.

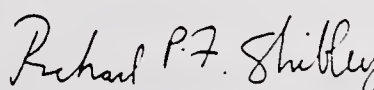
I further declare that, in my opinion, it is in the public interest that this Act take effect immediately in order to ensure that hazardous waste clean-up in the Commonwealth is not interrupted.

Sincerely,


Michael S. Dukakis
Governor

OFFICE OF THE SECRETARY, Boston, December 31, 1987.

I, Richard P.F. Shibley, Acting Secretary of State, hereby certify that the accompanying statement was filed in this Office by His Excellency the Governor of the Commonwealth of Massachusetts at one o'clock and forty-nine minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said Chapter takes effect forthwith, being chapter six hundred and forty-two of the Acts of nineteen hundred and eighty-seven.


RICHARD P.F. SHIBLEY,
Acting Secretary of State.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING MEDICAL BENEFITS FOR ULCERATIVE COLITIS AND OTHER DISEASES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 47H, inserted by section 1 of chapter 394 of the acts of 1987, the following section:-

Section 47I. Any individual policy of accident and sickness insurance issued pursuant to section one hundred and eight, and any group blanket policy of accident and sickness insurance issued pursuant to section one hundred and ten, shall provide coverage for nonprescription enteral formulas for home use, for which a physician has issued a written order and which are medically necessary for the treatment of malabsorption caused by Chrohn's disease or ulcerative colitis.

SECTION 2. Chapter 176A of the General Laws is hereby amended by inserting after section 8K, inserted by section 2 of said chapter 394, the following section:-

Section 8L. Any contract between a subscriber and the corporation under an individual or group hospital service plan that shall be delivered, issued or renewed in the commonwealth shall provide, as benefits to all individual subscribers and members within the commonwealth, and to all group members having a principal place of employment within the commonwealth, coverage for nonprescription enteral formulas for home use, for which a physician has issued a written order and which are medically necessary for the treatment of malabsorption caused by Chrohn's disease or ulcerative colitis.

SECTION 3. Chapter 176B of the General Laws is hereby amended by inserting after section 4J, inserted by section 3 of said chapter 394, the following section:-

Section 4K. Any subscription certificate under an individual or group medical service agreement that shall be delivered, issued or renewed in the

commonwealth shall provide, as benefits to all individual subscribers and members within the commonwealth, all group members having a principal place of employment within the commonwealth, and all persons included in section four C, coverage for nonprescription enteral formulas for home use, for which a physician has issued a written order and which are medically necessary for the treatment of malabsorption caused by Chrohn's disease or ulcerative colitis.

SECTION 4. Chapter 176G of the General Laws is hereby amended by inserting after section 4C, inserted by section 50 of chapter 465 of the acts of 1987, the following section:-

Section 4D. Any group health maintenance contract shall provide coverage for nonprescription enteral formulas for home use as set forth in section forty-seven I of chapter one hundred and seventy-five.

House of Representatives, December 22, 1987.

Passed to be enacted,

George Luernian

, Speaker.

In Senate, December 23, 1987.

Passed to be enacted,

William M. Bulger

, President.

January 6, 1988

Approved,

William M. Bulger

Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING INSURANCE COVERAGE FOR CHIROPRACTIC SERVICES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 108D of chapter 175 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by striking out the last sentence.

SECTION 2. Chapter 176B of the General Laws is hereby amended by inserting after section 4J, inserted by section 3 of chapter 394 of the acts of 1987 the following section:-

Section 4K. Any subscription certificate under an individual or group medical service agreement which shall be delivered or issued or renewed in the commonwealth shall provide as benefits to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth for expense for chiropractic service.

House of Representatives, January 5, 1988.

Passed to be enacted.

George Livanian, Speaker.

In Senate, January 5, 1988.

Passed to be enacted.

William H. Bulger, President.

January 12, 1988.

Approved,

Michael Dukakis
Governor.

In the Year One Thousand Nine hundred and Eighty-seven

AN ACT AUTHORIZING THE DISSOLUTION OF THE NORTON FIREFIGHTERS RELIEF ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Notwithstanding any general or special law to the contrary, the Norton Firefighters Relief Association, a corporation duly established under the laws of the commonwealth, is hereby authorized to dissolve said corporation and to donate any remaining funds of said corporation to the betterment of the firehouses of the town of Norton.

House of Representatives, January 4, 1988.

Passed to be enacted, *George Limerick*, Speaker.

In Senate, January 5, 1988.

Passed to be enacted, *William H. Bulger*, President.

January 13, 1988.

Approved,

Robert M. Healy Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO MEDICAL MALPRACTICE.

be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

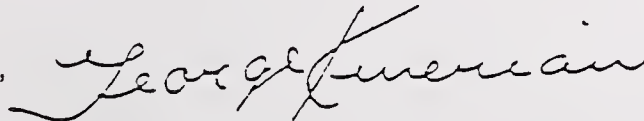
Section 39 of chapter 351 of the acts of 1986 is hereby amended by striking out the last two paragraphs and inserting in place thereof the following two paragraphs:-

The result of the studies together with any recommendations of the commission, shall be filed with the joint committee on insurance and the house and senate committees on ways and means no later than July first, nineteen hundred and eighty-eight; provided, however, that an interim report on the studies together with any recommendations of the commission, shall be filed with the joint committee on insurance and the house and senate committees on ways and means no later than March thirty-first, nineteen hundred and eighty-eight.

The provisions of this section shall expire on December thirty-first, nineteen hundred and eighty-eight.

House of Representatives, January 4, 1988.

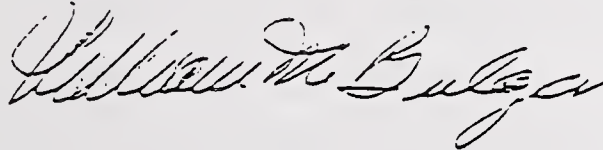
Passed to be enacted,



, Speaker.

In Senate, January 5, 1988.

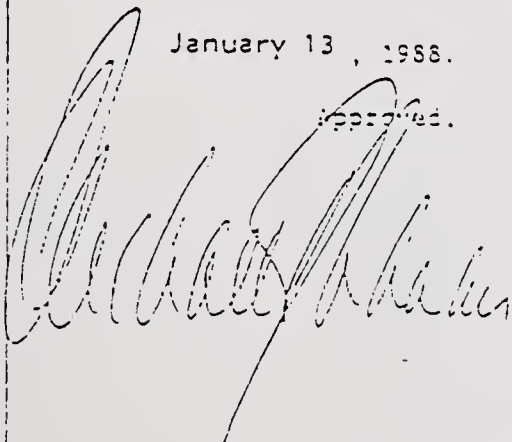
Passed to be enacted,



, President.

January 13, 1988.

Approved.



Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT ESTABLISHING A LIABILITY INSURANCE FUND IN THE TOWN OF YARMOUTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Yarmouth may appropriate in each fiscal year an amount not exceeding one-twentieth of one per cent of its equalized valuation as defined in section one of chapter forty-four of the General Laws to establish and maintain a special fund to be known as the Town of Yarmouth's Liability Insurance Fund; provided, however, that no such appropriation may be made in any fiscal year when the aggregate amount in said Fund equals or exceeds one per cent of such equalized valuation. Any interest earned on the amount appropriated to said Fund shall be added to and become part of said Fund.

The treasurer of said town shall be the custodian and administrator of said Fund and may deposit or invest said Fund in such a manner as may be lawful under section fifty-four of said chapter forty-four for the investment of municipal trust funds.

Said treasurer shall pay from the amount in said Fund including the interest thereon such amounts as the board of selectmen for said town determines to be necessary from time to time to settle claims against said town and to cover costs of defending said town against such claims including without limitation the costs of employing legal counsel, court costs and filing fees. Any amount in said Fund which is not paid out by the treasurer in accordance with this act which remains in the Fund at the end of a fiscal year shall be added to the Fund to be paid out by the said treasurer in subsequent years in accordance with this act. No more than ten thousand dollars may be expended for any claim under this act without appropriation.

SECTION 2. This act shall take effect upon its passage.

House of Representatives, January 4, 1988.

Passed to be enacted,

George Leventis, Speaker.

In Senate, January 5, 1988.

Passed to be enacted,

William M. Bulger, President.

January 14, 1988.

Approved,

at Four o'clock and 05 minutes, P. M.

William M. Bulger

Governor.

OTHER LEGISLATION SIGNED INTO LAW IN 1987

CHAPTER 69
CHAPTER 86
CHAPTER 169
CHAPTER 233
CHAPTER 246
CHAPTER 254
CHAPTER 255
CHAPTER 261
CHAPTER 262
CHAPTER 263
CHAPTER 268
CHAPTER 287
CHAPTER 310
CHAPTER 337
CHAPTER 354
CHAPTER 358
CHAPTER 370
CHAPTER 401
CHAPTER 560
CHAPTER 565
CHAPTER 614
CHAPTER 627
CHAPTER 639
CHAPTER 642
CHAPTER 683
CHAPTER 711
CHAPTER 740
CHAPTER 742
CHAPTER 750

INSURANCE COMMITTEE 1987 HEARING SCHEDULE

ROOM 257 10:30 A.M.

March 4	Miscellaneous
March 9	Health
March 11	Health
March 18	Automobile
March 23	Automobile
March 25	Life, Accident and Health
March 30	Property and Casualty/Agents
April 1	Miscellaneous
April 6	Miscellaneous

ADDITIONAL HEARINGS

July 1, 1987 - H. 5761

September 16, 1987 - H. 580 and H. 5991

November 30, 1987 - H. 6228

December 14, 1987 - H. 6295 and H. 6328

December 21, 1987 - H. 6334

COMMITTEE ON INSURANCE

AGENDA

March 4, 1987

10:30 A.M.

Room 257

S. 662 - Petition of Richard A. Voke, Francis H. Woodward, Robert L. Howarth, Patricia McGovern, Louis P. Bertonazzi and Mary L. Padula for legislation relative to medical malpractice.

S. 663 - Petition of Walter J. Boverini for legislation relative to the provision of an optional disability insurance plan for all state employees.

S. 672 - Petition of Kathleen Kelley and John P. Burke for legislation relative to insurance contribution for employees.

Also: H. 583 and H. 3904

S. 707 - Petition of Linda J. Melconian, Martin T. Reilly, John P. Burke and William Q. MacLean, Jr., for legislation to increase the membership of the Liquor Liability Joint Underwriters Association.

Also: H. 1176

H. 1175 - Petition of Peter B. Morin that provision be made for continuation of insurance coverage for surviving dependents of public employees.

Also: H. 3306

H. 1564 - Petition of David P. Magnani relative to the payment of insurance claims for damage to municipal property.

H. 1566 - Petition of W. Paul White, Emanuel G. Serra, Marjorie A. Clapprood and Royal L. Bolling, Sr., relative to information required for police reports pursuant to vehicle fire or theft insurance claims.

Also: H. 3175

H. 1830 - Petition of Stanley C. Rosenberg and John W. Olver (by vote of the town) relative to the establishment of a municipal liability insurance fund by the town of Amherst.

H. 2202 - Petition of Peter Forman, Edward P. Kirby, Augusta Hornblower, Peter B. Morin, Mary Jeannette Murray and Charles W. Mann for legislation to provide for local option insurance coverage of reserve, permanent-intermittent or call fire fighters.

H. 2560 - Petition of Michael F. Flaherty for legislation to further regulate the disbursement of insurance proceeds.

H. 2561 - Petition of Michael F. Flaherty relative to reviving and continuing the special commission (including members of the General Court) established to make an investigation and study relative to the purpose of examining the procedures of admitting certain drug-alcohol patients for detoxification and extending drug-alcohol education and rehabilitation by insurance companies.

H. 2978 - Petition of Richard A. Voke relative to contracts between the Group Insurance Commission and certain health maintenance organizations.

H. 3305 - Petition of Michael J. McGlynn and John F. Cox for legislation to reduce the premium for house insurance of certain elderly persons.

H. 3896 - Petition of Thomas S. Cahir relative to additional group benefits for municipal employees.

H. 3898 - Petition of Henri S. Rauschenbach, Robert Correia, Walter J. Boverini, John W. Olver and Thomas S. Cahir relative to further clarifying health maintenance organization coverage for public employees.

H. 3903 - Petition of Emanuel G. Serra for legislation to require annual reports by property and casualty insurers.

H. 4071 - Petition of Marie-Louise Kehoe for legislation to require certain insurance charges in homeowners policies.

H. 4072 - Petition of Marie-Louise Kehoe relative to insurance rights
of retired public employees.

H. 4839 - Petition of Francis H. Woodward relative to automobile
insurance.

COMMITTEE ON INSURANCE

AGENDA

March 9, 1987

10:30 A.M.

Room 257

S. 658 - Petition of Louis P. Bertonazzi for legislation to provide lower insurance rates for persons receiving the benefits of community water fluoridation.

S. 668 - Petition of Edward L. Burke, Argeo Paul Cellucci, Paul J. Sheehy, Arthur Joseph Lewis, Jr., John F. MacGovern and John H. Loring for legislation to provide for the reimbursement for the certified registered nurse anesthetists services.

S. 690 - Petition of William R. Keating, Frederick E. Berry, Michael W. Morrissey, Robert Emmet Hayes, David B. Cohen and John C. Bartley for legislation to provide medical benefits for ulcerative colitis and other diseases under group insurance agreements.

S. 700 - Petition of Linda J. Melconian and John P. Burke for legislation to require insurance companies, hospital service corporations and medical service corporations to provide certain preventive care services for children.

Also: H. 2979

S. 709 - Petition of Linda J. Melconian and John P. Burke for legislation to increase the availability of health insurance in the Commonwealth.

S. 712 - Petition of Paul J. Sheehy for legislation to extend group rates to individuals purchasing health insurance.

S. 716 - Petition of Robert D. Wetmore for legislation to provide for the inclusion of custodial or nursing home care costs for persons with Alzheimer's disease in health insurance policies.

Also: H. 1559

H. 578 - Petition filed at the request of Robert Leo that provision be made for health insurance benefits to tobacco and smoking addicted persons and to require maintenance contracts to provide coverage for tobacco and smoking addicted persons.

H. 777 - Petition of Sherwood Guernsey for legislation to require that certain health care insurance policies cover payment for costs arising from speech and language disorders.

H. 976 - Petition of Robert Correia relative to providing treatment for alcoholism in certain health insurance policies.

Also: H. 2557

H. 977 - Petition of Kevin Poirier and Stephen J. Karol for legislation to require health insurance policies to provide benefits for diabetes patients.

H. 1179 - Petition of Michael P. Walsh and Walter A. DeFilippi for legislation to require persons or organizations filing legislation proposals relative to mandating health coverage by insurance carriers to submit a report to the legislative committee having jurisdiction on the social and financial impact of such coverage.

H. 1330 - Petition of Frances F. Alexander and other members of the General Court for legislation to provide for the continuation of certain health insurance coverage for surviving spouses for a period of eighteen months following the death of his or her spouse.

Also: H. 1563, H. 2205 and H. 2556

H. 2559 - Petition of Robert A. Durand, Marjorie A. Clapprood and another for legislation to issue homemaking services for certain persons insured against accident or injury.

H. 2775 - Petition of Kevin W. Fitzgerald relative to providing health maintenance organization coverage for uninsured residents of the Commonwealth.

H. 4064 - Petition of Salvatore F. DiMasi that provision be made for lower insurance rates for non-smokers.

H. 4250 - Petition of Paul E. Caron for legislation to provide that certain health insurance coverage terminate due to the remarriage of the former spouse of a group member.

Also: H. 4253

H. 2204 - Petition of Christopher J. Hodgkins and other members of the House that insurance companies and others be required to make reimbursements for services performed by licensed acupuncturists.

H. 4068 - Petition of Stephen W. Doran for legislation to provide group health insurance coverage to individuals.

COMMITTEE ON INSURANCE

AGENDA

March 11, 1987

10:30 A.M.

Room 257

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- S. 654 - Petition of Frederick E. Berry for legislation to require home care services to be included in group health insurance policies, employee health and welfare funds, group hospital service contracts and group medical service contracts.
-
- S. 657 - Petition of Louis P. Bertonazzi for legislation to provide lower insurance rates for non-smokers.
-
- S. 659 - Petition of Louis P. Bertonazzi for legislation to provide employees a right to change health plans.
-
- S. 661 - Petition of Louis P. Bertonazzi for legislation to grant the Commissioner of Insurance jurisdiction over certain providers of health care benefits.
-
- S. 664 - Petition filed at the request of Peter M. Listro for legislation to further regulate certain medical insurance.
-
- S. 678 - Petition of Francis D. Doris for legislation relative to false health claims.
-
- S. 679 - Petition of Edward L. Burke and Francis D. Doris for legislation relative to the establishment and operation of health service corporations thereby permitting the merger of hospital service corporations (Blue Cross) and medical service corporations (Blue Shield).
-
- S. 687 - Petition of William R. Keating that provision be made for an investigation and study by a special commission (including members of the General Court) relative to all current health plans and coverages available to residents of the Commonwealth.
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- S. 693 - Petition of Arthur Joseph Lewis, Jr., for legislation to require insurance carriers to pay a dispensing fee to pharmacists.
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- S. 694 - Petition of Arthur Joseph Lewis, Jr., for legislation to require insurance carriers to inform pharmacists when an individual or group of individuals are no longer eligible to receive benefits for the payment of prescription medicine.
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- S. 696 - Petition of David H. Locke for legislation to require notice to employees prior to cancellation of group insurance.
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- S. 704 - Petition of Linda J. Melconian and John P. Burke for legislation relative to public disclosure by health insurance.
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- S. 706 - Petition of Linda J. Melconian for legislation to increase the availability of Medex insurance coverage.
-
- S. 711 - Petition of Theodore N. Gross and Lois G. Pines for legislation to require notification or expiration of group insurance agreements.
-
- S. 717 - Petition of Thomas P. White for legislation to establish uniformity of health coverage payments.
-
- S. 718 - Petition of Thomas P. White for legislation to clarify the rights of purchasers of group health coverage.
-
- S. 719 - Petition of Thomas P. White for legislation to clarify municipal contracting authority relative to group insurance.
-
- H. 150 - So much of the recommendations of the Division of Insurance as relates to health maintenance organizations.
-
- H. 177 - So much of the recommendations of the Department of Labor and Industries as relates to clarifying the sanction provision for failure to give notice as required under the law relative to the continuation of insurance benefits.
-
- H. 1174 - Petition of Robert L. Howarth relative to health insurance provided to students at state colleges and universities.
-
- H. 1565 - Petition of Michael P. Walsh relative to further regulating certain health care plan restrictions.
-
- H. 2362 - Petition filed at the request of Generosa Zizza for an investigation by a special commission (including members of the General Court) relative to the rates charged by medical and health care insurance providers.
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COMMITTEE ON INSURANCE

AGENDA

March 18, 1987 •

10:30 a.m.

Room 257

S. 650 - Petition of Salvatore R. Albano and Suzanne M. Bump for legislation to require reduction of insurance premiums for businesses adopting employee safety belt programs.

Also: H. 2034, H. 3304, H. 4563, H. 4719, and H. 4720

S. 660 - Petition filed at the request of Ross Rajotte for legislation relative to eligibility for automobile insurance discounts for senior citizens.

S. 670 - Petition of John P. Burke and Robert J. Rohan for legislation relative to computation of automobile insurance rates.

Also: H. 1178, and H. 2199

S. 680 - Petition of William B. Golden for legislation to require all automobile insurance companies doing business in the Commonwealth to grant a discount to certain drivers who successfully complete certain safe driving programs.

S. 684 - Petition of John Patrick Houston, Linda J. Melconian, Thomas F. Brownell, Salvatore R. Albano, Kathy Gorman and Peter C. Webber for legislation to determine automobile insurance rates on the basis of certain filings by the Automobile Rating and Accident Prevention Board.

S. 689 - Petition of William R. Keating for legislation relative to classification of risks and establishment of premium charges for motor vehicles.

Also: S. 671, S. 675, S. 677, H. 572, H. 2035, H. 2036, H. 2977, H. 3498, H. 3499, H. 4562, and H. 4721

S. 698 - Petition of Linda J. Melconian for legislation relative to automobile insurance premium charges.

Also: H. 332, H. 1691, H. 3496, H. 3724, and H. 4565

S. 701 - Petition of Linda J. Melconian for legislation relative to computation of automobile insurance rates.

Also: H. 574, H. 1334, and H. 4564

2777 - Petition of Francis H. Woodward and other members of the House relative to public disclosure by health insurers.

3173 - Petition of Mary Jane Gibson and another for legislation to establish a system of compensation for injuries related to medical treatment.

3303 - Petition of Robert L. Howarth for legislation to include chiropractic services in health maintenance organization coverage.

Also: H. 4230

COMMITTEE ON INSURANCE

AGENDA

March 23, 1987

10:30 a.m.

Room 257

S. 665 - Petition of Robert C. Buell for legislation to increase the tort threshold and minimum limits of liability under the motor vehicle insurance laws.

Also: S. 715, H. 579 and H. 3722

S. 666 - Petition of Robert C. Buell, Thomas G. Palumbo and David J. Lane for legislation to further authorize insurance of liabilities incurred in the operation of motor vehicles by non-owners or in the operation of hired motor vehicles.

S. 669 - Petition of Edward L. Burke for legislation relative to uninsured motor vehicles coverages.

S. 676 - Petition of Francis D. Doris for legislation relative to the membership of the Commonwealth Automobile Reinsurers.

S. 686 - Petition of William R. Keating for legislation to establish a board of anti-theft and vehicle recovery system standards for automobiles and providing for publication of a list of anti-theft locks, alarms, devices and recovery systems for the benefit of the motoring public.

S. 691 - Petition of Arthur Joseph Lewis, Jr., for legislation relative to the availability of certain coverages through the Commonwealth automobile reinsurers.

S. 692 - Petition of Arthur Joseph Lewis, Jr., for legislation relative to the limits of liability for uninsured and underinsured motor vehicle coverage.

Also: H. 2774

S. 708 - Petition of Linda J. Melconian and John P. Burke for legislation relative to automobile insurance payments for collision repair.

H. 1180 - Petition of Michael P. Walsh and Jonathan L. Healy that the Commissioner of Insurance be authorized to establish a schedule of motor vehicle insurance discounts for low mileage drivers.

H. 3497 - Petition of Iris K. Holland and other members of the House relative to the fixing and establishment of classifications of motor vehicle insurance rates for handicapped persons and veterans.

H. 4066 - Petition of Salvatore F. DiMasi and another for legislation to provide insurance rebates for motorists who use overnight off-street parking.

COMMITTEE ON INSURANCE

AGENDA

March 25, 1987

10:30 a.m.

Room 257

S. 697 - Petition of William Q. MacLean, Jr., for legislation to further regulate credit life insurance and credit accident and health insurance.

Also: S. 1620 and H. 2203

S. 703 - Petition of Linda J. Melconian for legislation to further regulate the licensing of insurance agents and brokers.

Also: H. 1562

H. 573 - Petition of John F. Cox relative to reinsurance involving domestic life companies.

H. 575 - Petition of William J. McCafferty and Charles Robert Doyle relative to authorizing installment payments on insurance premiums.

H. 1171 - Petition of Frank A. Emilio and another relative to the replacement of life insurance.

H. 1172 - Petition of Frank A. Emilio and another relative to fairness of competition in insurance.

Also: H. 2357

H. 1173 - Petition of Frank A. Emilio and another relative to the licensing of persons to sell securities by the Commissioner of Insurance.

H. 1560 - Petition of Frank A. Emilio relative to the regulation and control of the conduct of insurers not authorized to conduct the business of insurance within the Commonwealth.

H. 1561 - Petition of Frank A. Emilio relative to licensing requirements for insurance agents.

H. 2039 - Petition of William B. Vernon relative to cost efficient examination of financial conditions of insurance companies.

H. 2033 - Petition of Theodore J. Aleixo, Jr., relative to motor vehicle insurance.

H. 2200 - Petition filed at the request of Melvin E. Silberstein for legislation to require compulsory motor vehicle liability insurance for each licensed operator instead of each motor vehicle for the purpose of establishing just and reasonable insurance rates.

Also: H. 3900

H. 2358 - Petition of Lawrence R. Alexander, Christopher J. Hodgkins, Marie J. Parente and Frances F. Alexander for legislation to require that persons convicted of drunk driving be required to maintain higher bodily injury insurance coverage before such persons are reinstated with licenses to operate motor vehicles.

Also: H. 4251

H. 3725 - Petition of Christopher J. Hodgkins, Patricia A. Walrath, Peter C. Webber, Carmen D. Buell, Jonathan L. Healy and another relative to requiring owners of recreational vehicles to carry liability insurance.

H. 3726 - Petition of Gregory W. Sullivan relative to automobile liability insurance on certain commercial vehicles.

H. 3901 - Petition of Emanuel G. Serra relative to insurable interest in certain vehicles.

H. 4067 - Petition of Salvatore F. DiMasi relative to the right of defendants in motor vehicle cases to select their own attorney.

H. 4069 - Petition filed at the request of John Hanley relative to insurance on newly purchased motor vehicles.

H. 4722 - Petition of Gregory W. Sullivan relative to motor vehicle liability insurance on certain commercial vehicles.

H. 4723 - Petition of Gregory W. Sullivan that provision be made for the reimbursement of certain overcharges of motor vehicle insurance premiums to owners of taxicabs.

COMMITTEE ON INSURANCE

AGENDA

March 30, 1987

10:30 a.m.

Room 257

S. 651 - Petition of Francis X. Bellotti and Salvatore R. Albano for legislation to require property-casualty insurers to file additional information with the Commissioner of Insurance.

Also: S. 652, S. 682, S. 705, H. 577, H. 580, H. 3495,
H. 4717 and H. 5142.

S. 667 - Petition of the Massachusetts Association of Plumbing-Heating-Cooling Contractors, Inc., by Carolyn P. Davis, executive director, and Edward L. Burke for legislation to require insurance coverage for plumbing and gas fitting contractors.

S. 673 - Petition of John P. Burke, Robert J. Rohan, Linda J. Melconian and Peter C. Webber for legislation to further define the responsibilities and duties of skiers and ski area operators relative to those risks inherent in the sport of skiing, and to stabilize Massachusetts ski areas' liability insurance costs.

S. 683 - Petition of John Patrick Houston, Linda J. Melconian and Sandra Graham for legislation to require fair and open insurance agent licensing examinations.

S. 688 - Petition of William R. Keating for legislation to provide insurance credits for homeowners who install certain smoke detection systems in their homes.

S. 695 - Petition of Arthur Joseph Lewis, Jr., for legislation relative to assigned risk insurance policies.

S. 702 - Petition of the Associated General Contractors of Massachusetts Inc., by William D. Kane, Linda J. Melconian and John P. Burke for legislation to prohibit gaps in insurance paid by consumers.

S. 710 - Petition of Michael LoPresti, Jr., John P. Burke, Frederick E. Berry, Thomas P. White and Linda J. Melconian for legislation to provide human services provider liability insurance.

Also: H. 1331 and H. 2201

S. 714 - Petition of Peter C. Webber for legislation relative to asbestos removal legal liability insurance.

Also: H. 159

H. 3307 - Petition of Michael P. Walsh and Francis G. Mara relative
to examinations of domestic life insurance companies.

H. 4063 - Petition of Francis X. Bellotti and Carmen D. Buell relative
to the extraterritorial application of mandated insurance
benefits.

COMMITTEE ON INSURANCE

AGENDA

April 1, 1987

10:30 a.m.

Room 257

S. 655 - Petition of Louis P. Bertonazzi for legislation to provide for a thirty-five percent reduction in premium charges if an insuree certifies that he or she and their passengers regularly use seat belts.

S. 656 - Petition of Louis P. Bertonazzi for legislation to provide lower insurance rates for non-drinkers.

S. 674 - Petition of Nicholas J. Costello and Barbara Hildt for legislation to provide coverage for certain medical preventive screening tests.

S. 713 - Petition of Joseph B. Walsh for legislation to limit the amount of fire insurance for certain policies.

S. 1564 - Petition of the Group Against Smoking Pollution of Massachusetts, by Edward L. Sweda, Jr., Joseph K. Mackey and other members of the General Court for legislation to reduce insurance rates for nonsmokers.

Also: H. 578

H. 148 - So much of the recommendations of the Division of Insurance as relative to further restricting discrimination by insurers against the blind, physically impaired and mentally retarded.

H. 1333 - Petition of James T. Brett relative to medical insurance for parole officers and parole supervisors of the Parole Board.

H. 3172 - Petition of Mary Jane Gibson, other members of the General Court and others for legislation to prohibit discrimination relative to insurance contracts.

Also: H. 3174, H. 3899 and H. 3902

H. 4553 - Petition of Michael F. Flaherty relative to the treatment of alcoholics and chemically dependent persons.

H. 330 - Petition of John H. Flood that provisions be made for municipal legal liability insurance.

H. 331 - Petition of Jospeh N. Hermann relative to increasing the limit requiring fire insurance companies to contribute to certain costs for fire protection.

H. 581 - Petition of Francis H. Woodward for legislation to further regulate special insurance brokers.

H. 1177 - Petition of Michael P. Walsh relative to liability for permanent amusement parks.

H. 2776 - Petition filed at the request of Francis Mitchell for an investigation by a special commission (including members of the General Court) relative to insurance premium rates paid by contractors.

H. 4252 - Petition of Robert F. Jakubowicz that insurance companies be required to offer an installment payment plan for certain liability insurance policies.

H. 4560 - Petition of John C. Bradford and another relative to the classification of sailmaker shops for fire insurance.

H. 4718 - Petition of Francis X. Bellotti, Joseph B. McIntyre and John C. Bartley relative to increasing funding for the Attorney General's representative of consumers in insurance matters.

COMMITTEE ON INSURANCE

AGENDA

April 6, 1987

10:30 a.m.

Room 257

S. 653 - Petition of Carol C. Amick for legislation relative to information gathered for the Commissioner of Insurance and the Attorney General.

S. 681 - Petition of William B. Golden, Marjorie A. Clapprood, Michael J. Barrett, Frank M. Hynes, John P. Burke, Mary Jeanette Murray and Peter C. Webber for legislation to provide for pollution liability insurance.

Also: S. 685 and H. 2558

S. 690 - Petition of William R. Keating, Frederick E. Berry, Michael W. Morrissey, Robert Emmet Hayes, David B. Cohen and John C. Bartley for legislation to provide medical benefits for ulcerative colitis and other diseases under group insurance agreements.

S. 1670 - Petition of Joseph B. Walsh for legislation relative to automobile repair estimates.

H. 147 - So much of the recommendations of the Division of Insurance as relates to the enforcement of the insurance laws.

H. 582 - Petition of Francis H. Woodward for legislation to further regulate the licensing of insurance advisors.

H. 2037 - Petition of William B. Vernon relative to the cost containment of insurance rates.

Also: H. 2038

H. 4065 - Petition of Salvatore F. DiMasi for legislation to require that filings of homeowner's insurance rates be uniform throughout the Commonwealth.

H. 4569 - Petition of Michael P. Walsh for legislation to clarify the authority of the Commissioner of Insurance.

H. 4724 - Petition of Gregory W. Sullivan for legislation to further regulate certain health insurance plans relative to cardiac rehabilitation expenses.

Also: H. 5060

H. 4838 - Petition of Paul E. Caron and Kenneth M. Lemanski for legislation to continue group health insurance coverage for certain employees whose employment has terminated.

H. 4955 - Petition of John A. Businger and Richard R. Tisei relative to the provision of an optional disability insurance plan for all employees of the Commonwealth.

H. 4957 - Petition of William G. Reinstein for legislation to further regulate the return of motor vehicle number plates upon cancellation of insurance.

COMMITTEE ON INSURANCE

AGENDA

April 8, 1987

10:30 a.m.

Room 257

S. 490 - Petition of Linda J. Melconian, Frederick E. Berry, Martin T. Reilly, Walter J. Boverini, John P. Burke, William Q. MacLean, Jr., and Anna P. Buckley for legislation relative to increasing access to medical care for medical service corporation subscribers.

Also: S. 699, H. 1531 and H. 4958

S. 706 - Petition of Linda J. Melconian for legislation to increase the availability of Medex insurance coverage.

S. 709 - Petition of Linda J. Melconian and John P. Burke for legislation to increase the availability of health insurance in the Commonwealth.

S. 1669 - Petition of Linda J. Melconian for legislation to reform the automobile insurance laws of the Commonwealth.

H. 576 - Petition of Robert F. Jakubowicz for legislation to establish standards for the Commissioner of Insurance to fix premium rates for medical malpractice insurance.

H. 1332 - Petition of James T. Brett relative to duplicative recoveries in certain actions against health care providers.

Also: H. 2361

H. 1524 - Petition of the Mass. AFL-CIO State Labor Council and Robert A. Durand relative to non-profit medical and hospital service corporations.

H. 2359 - Petition of Marjorie A. Clapprood relative to the periodic payment of damages in certain actions involving health care providers under the medical malpractice law.

Also: H. 3723, H. 4561 and H. 4715

H. 2360 - Petition of Marjorie Clapprood relative to the qualifications witnesses as experts in certain actions involving specialists under the medical malpractice law.

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- H. 4070 - Petition of Marie-Louise Kehoe for legislation to increase the amount of money fire insurance companies are required to contribute to certain costs for fire protection.
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- H. 4566 - Petition of William G. Reinstein relative to the cancellation of accident and sickness insurance policies.
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- H. 4567 - Petition of Peter A. Vellucci for legislation to modify the application for mortgage loans to make information available to banks relative to potential arson customers.
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- H. 4568 - Petition of Peter A. Vellucci for legislation to strengthen disclosure provisions of the law regulating insurance contracts against losses by fire.
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- H. 4837 - Petition filed at the request of Jonathan C. Ricker that provision be made for a reduction in the insurance premiums for persons using the save lives anti-accident device in motor vehicles registered in the Commonwealth.
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- H. 4956 - Petition of Nicholas A. Paleologos relative to establishing a public insurance corporation in the Commonwealth.
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- H. 5061 - Petition filed at the request of John J. Pignatelli, Jr., and others that counties, cities and towns be authorized to borrow money for liability insurance.
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- H. 5106 - Petition of John Mastrangelo, Larry F. Giordano and others (with the approval of the town council) that the city known as the town of Methuen be authorized to negotiate group insurance benefits.
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COMMITTEE ON INSURANCE

AGENDA

April 15, 1987

10:30 a.m.

Room 257

S. 1705 - Petition of Edward L. Burke for legislation to further regulate individual deferred premium liability in regards to medical malpractice premiums.

S. 1706 - Petition Linda J. Melconian and Francis H. Woodward for legislation to further regulate medical malpractice insurance premiums.

H. 3897 - Petition of Barbara Hildt for an investigation by a special commission (including members of the General Court) relative to the organization and practices of Blue Cross of Massachusetts, Inc., and Blue Shield of Massachusetts, Inc.

Also: H. 4396

H. 4228 - Petition of Barbara E. Gray and another relative to volume adjustments under certain hospital agreements.

H. 4421 - Petition of Ellen M. Canavan relative to certain policies for medical malpractice insurance.

Also: H. 4716

COMMITTEE ON INSURANCE

AGENDA

April 21, 1987

10:30 a.m.

Room 257

H. 974 - Petition of Francis G. Mara relative to mental illness
benefits.

H. 4553 - Petition of Michael F. Flaherty relative to the treatment
of alcoholics and chemically dependent persons.

COMMITTEE ON INSURANCE

AGENDA

April 27, 1987

10:30 a.m.

Room 257

S. 1711 - Petition of Linda J. Melconian for legislation relative to the insurance coverage of early intervention services.

H. 5318 - Petition of Mary Jane Gibson and another that the Belmont Firefighters Relief Association, Inc., be authorized to pay certain benefits to members upon retirement.

H. 5319 - Petition of Peter G. Trombley relative to certain benefits payable by the Waltham Police Relief Association Incorporated.

H. 5291 - Petition of Francis G. Mara relative to the optional sales of universal life insurance to public employees:

COMMITTEE ON INSURANCE

AGENDA

April 29, 1987

10:30 A.M.

Room 257

S. 1738 - Linda J. Melconian (by request), a petition of the Professional Insurance Agents of New England, by Daniel J. Foley, Jr., for legislation relative to insurance company rate filings.

COMMITTEE ON INSURANCE

AGENDA

May 6, 1987

10:30 a.m.

Room 257

H. 5369 - Petition of Steven Rich and Alfred E. Saggese, Jr., relative to the costs of motor vehicle insurance for certain disabled persons.

COMMITTEE ON INSURANCE

AGENDA

May 27, 1987

11:00 a.m.

Room 257

H. 1368 - Petition of John H. Loring for legislation to require the Registrar of Motor Vehicles to stamp the certificate of title of certain motor vehicles determined to be a total loss.

H. 1736 - Petition of Mary Jeanette Murray relative to procedures by insurers in the case of motor vehicles declared to be a total loss.

H. 5464 - An Act Relating To Auto Insurance Reform.

COMMITTEE ON INSURANCE

AGENDA

June 9, 1987

10:30 a.m.

Room 257

S. 1900 - Petition of Peter C. Webber and Sherwood Guernsey for legislation to require inspection of motor vehicles by insurers.

H. 5584 - Petition of Larry F. Giordano and another for legislation to provide for a deduction in motor vehicle premium charges for persons completing a defensive driving course.

H. 5643 - Petition of Marjorie A. Clapprood relative to authorizing the disolution of the Stoughton Firefighters Relief Association.

H. 5644 - Petition of Francis H. Woodward relative to the Massachusetts Crime Insurance Program.

H. 5645 - Petition of Francis H. Woodward relative to further regulating the licensing of insurance agents and brokers.

COMMITTEE ON INSURANCE

AGENDA

October 19, 1987

11:00 A.M.

Room 257

S. 2014 - Petition of Peter C. Webber and Sherwood Guernsey for legislation to further regulate motor vehicle insurance.

H. 6073 - Petition of Henri S. Rauschenbach and Paul V. Doane (by vote of the town) that the town of Yarmouth be authorized to establish and maintain a special fund known as the "Town of Yarmouth's Liability Insurance Fund".

H. 6076 - Petition of Francis H. Woodward and Linda J. Melconian relative to the Hazardous Waste Insolvency Fund.

H. 6108 - Petition of Francis H. Woodward and Michael P. Walsh relative to medical malpractice insurance.

THE DISPOSITION OF ALL INSURANCE LEGISLATION

THE FOLLOWING IS A BREAKDOWN ACCORDING TO NUMERICAL ORDER OF ALL
LEGISLATION THAT CAME BEFORE THE COMMITTEE.

- S 490 - Petition of Linda J. Melconian, Frederick E. Berry, Martin T. Reilly, Walter J. Boverini, John P. Burke, William Q. MacLean, J. and Anna P. Buckley for legislation relative to increasing access to medical care for medical service corporation subscribers.
Hearing date Apr 8 am
Accompanied a new draft, see S. 1831
- S 493 - Petition of Martin T. Reilly and Thomas M. Petrolati for legislation to require payments for certain medical services.
Hearing date Mar 30 am
Accompanied a new draft, see S. 1831
- S 650 - Petition of Salvatore R. Albano and Suzanne M. Bump for legislation to require reduction of insurance premiums for businesses adopting employee safety belt programs.
Hearing date Mar 18 am
Accompanied a new draft, see S. 1823
- S 651 - Petition of Francis X. Bellotti and Salvatore R. Albano for legislation to require property-casualty insurers of file additional information with the Commissioner of Insurance.
Hearing date Mar 30 am
Accompanied a study order, see S. 2015
- S 652 - Petition of Francis X. Bellotti, Salvatore R. Albano and Sherwood Guernsey for legislation to regulate cancellation and non-renewal of commercial liability policies.
Hearing date Mar 30 am
Accompanied a study order, see S. 2015
- S 653 - Petition of Carol C. Amick for legislation relative to information gathered for the Commissioner of Insurance and the Attorney General.
Hearing date Apr 6 am
Ought not to pass, report accepted
- S 654 - Petition of Frederick E. Berry for legislation to require home care services to be included in group health insurance policies, employee health and welfare, funds, group hospital service contracts and group medical service contracts.
Hearing date Mar 11 am
Ought not to pass, report accepted
- S 655 - Petition of Louis P. Bertonazzi for legislation to provide for a thirty-five percent reduction in premium charges if an insured certifies that he or she and their passengers regularly use seat belts.
Hearing date Apr 1 am
Accompanied new draft, see S. 1823

- S 656 - Petition of Louis P. Bertonazzi for legislation to provide lower insurance rates for non-drinkers.
Hearing date Apr 1 am
Ought not to pass, report accepted
- S 657 - Petition of Louis P. Bertonazzi for legislation to provide lower insurance rates for non-smokers.
Hearing date Mar 11 am
Ought not to pass, read second and ordered to a third reading
- S 658 - Petition of Louis P. Bertonazzi for legislation to provide lower insurance rates for persons receiving the benefits of community water fluoridation.
Hearing date Mar 9 am
Ought not to pass, report accepted
- S 659 - Petition of Louis P. Bertonazzi for legislation to provide employees a right to change health plans.
Hearing date Mar 11 am
Referred to House Ways and Means
- S 660 - Petition filed at the request of Ross Rajotte for legislation relative to eligibility for automobile insurance discounts for senior citizens.
Hearing date Mar 18 am
Accompanied a new draft, see S. 1823
- S 661 - Petition of Louis P. Bertonazzi for legislation to grant the Commissioner of Insurance jurisdiction over certain providers of health care benefits.
Hearing date Mar 11 am
Accompanied a new draft, see S. 1823
- S 662 - Petition of Richard A. Voke, Francis H. Woodward, Robert L. Howarth, Patricia McGovern, Louis P. Bertonazzi and Mary L. Padula for legislation relative to medical malpractice.
Hearing date Mar 4 am
Accompanied a new draft, see S. 1736
- S 663 - Petition of Walter J. Boverini for legislation relative to the provision of an optional disability insurance plan for all state employees.
Hearing date Mar 4 am
Accompanied a new draft, see S. 1823
- S 664 - Petition filed at the request of Peter M. Listro for legislation to further regulate certain medical insurance.
Hearing date Mar 11 am
Ought not to pass, report accepted

- S 665 - Petition of Robert C. Buell for legislation to increase the tort threshold and minimum limits of liability under the motor vehicle insurance laws.
Hearing date Mar 23 am
Accompanied a new draft, see S. 1823
- S 666 - Petition of Robert C. Buell, Thomas G. Palumbo and David J. Lane for legislation to further authorize insurance of liabilities incurred in the operation of motor vehicles by non-owners or in the operation of hired motor vehicles.
Hearing date Mar 23 am
Ought not to pass, report accepted
- S 667 - Petition of the Massachusetts Association of Plumbing-Heating-Cooling contractors, Inc., by Carolyn P. Davis, executive director, and Edward L. Burke for legislation to require insurance coverage for plumbing and gas fitting contractors.
Hearing date Mar 30 am
Signed by the Governor, Chapter 354 Acts
- S 668 - Petition of Edward L. Burke, Argeo Paul Cellucci, Paul J. Sheehy, Arthur Joseph Lewis, Jr., John F. MacGovern and John H. Loring for legislation to provide for the reimbursement for the certified registered nurse anesthetists services.
Hearing date Mar 9 am
Accompanied a new draft, see S. 1828
- S 669 - Petition of Edward L. Burke for legislation relative to uninsured motor vehicles coverages.
Hearing date Mar 23 am
Accompanied a new draft, see S. 1751
- S 670 - Petition of John P. Burke and Robert J. Rohan for legislation relative to computation of automobile insurance rates.
Hearing date Mar 18 am
Accompanied S. 1669
- S 671 - Petition of John P. Burke for legislation to correct certain deficiencies in the safe driver insurance plan, so-called.
Hearing date Mar 18 am
Accompanied a new draft, see S. 1823
- S 672 - Petition of Kathleen Kelley and John P. Burke for legislation relative to insurance contribution for employees
Hearing date Mar 4 am
Ought not to pass, report accepted

- S 673 - Petition of John P. Burke, Robert J. Rohan, Linda J. Melconian and Peter C. Webber for legislation to further define the responsibilities and duties of skiers and ski area operators relative to those risks inherent in the sport of skiing, and to stabilize Massachusetts ski areas' liability insurance costs.
Hearing date Mar 30 am
Signed by the Governor, Chapter 287 Acts.
- S 674 - Petition of Nicholas J. Costello and Barbara Hildt for legislation to provide coverage for certain medical preventive screening tests.
Hearing date Apr 1 am
Accompanied a new draft, see S. 1791
- S 675 - Petition filed at the request of Bernard McCabe for legislation to prohibit motor vehicle liability policies from being adjusted as a result of a conviction of a moving violation.
Hearing date Mar 18 am
Accompanied a new draft, see S. 1823
- S 676 - Petition of Francis D. Doris for legislation relative to the membership of the Commonwealth Automobile Reinsurers.
Hearing date Mar 23 am
Accompanied a new draft, see S. 1823
- S 677 - Petition of Francis D. Doris for legislation to provide that classification of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the Commonwealth.
Hearing date Mar 18 am
Accompanied a new draft, see S. 1823
- S 678 - Petition of Francis D. Doris for legislation relative to false health claims.
Hearing date Mar 11 am
Accompanied a new draft, see S. 1752
- S 679 - Petition of Edward L. Burke and Francis D. Doris for legislation relative to the establishment and operation of health service corporations thereby permitting the merger of hospital service corporations (Blue Cross) and medical service corporations (Blue Shield).
Hearing date Mar 11 am
Accompanied a new draft, see S. 1823

- S 680 - Petition of William B. Golden for legislation to require all automobile insurance companies doing business in the Commonwealth to grant a discount to certain drivers who successfully complete certain safe driving program.
Hearing date Mar 18 am
Ought not to pass, report accepted
- S 681 - Petition of William B. Golden, Marjorie A. Clapprood, Michael J. Barrett, Frank M. Hynes, John P. Burke, Mary Jeanette Murray and Peter C. Webber for legislation to provide for pollution liability insurance.
Hearing date Apr 6 am
Accompanied a new draft, see H. 5366
- S 682 - Petition of William B. Golden, Mary Jeanette Murray, Frank M. Hynes and Peter C. Webber for legislation to respond to insurance failures in the marketplace.
Hearing date Mar 30 am
Accompanied a study order, see S. 2015
- S 683 - Petition of John Partick Houston, Linda J. Melconian and Saundra Graham for legislation to require fair and open insurance agent licensing examinations.
Hearing date Mar 30 am
Discharged to Senate Ways and Means
- S 684 - Petition of John Patrick Houston, Linda J. Melconian, Thomas F. Brownell, Salvatore R. Albano, Kathy Gorman and Peter C. Webber for legislation to determine automobile insurance rates on the basis of certain filings by the Automobile Rating and Accident Prevention Board.
Hearing date Mar 18 am
Ought no to pass, report accepted
- S 685 - Petition of John Patrick Houston for legislation relative to pollution liability reinsurance.
Hearing date Apr 6 am
Accompanied a new draft, see H. 5366
- S 686 - Petition of William R. Keating for legislation to establish a board of anti-theft and vehicle recovery system standards for automobiles and providing for publication of a list of anti-theft locks, alarms, devices and recovery systems for the benefit of the motoring public.
Hearing date Mar 23 am
Ought not to pass, report accepted

- S 687 - Petition of William R. Keating that provisions be made for an investigation and study by a special commission (including members of the General Court) relative to all current health plans and coverages available to residents of the Commonwealth.
Hearing date Mar 11 am
Accompanied a new draft, see S. 1823
- S 688 - Petition of William R. Keating for legislation to provide insurance credits for homeowners who install certain smoke detection systems in their homes.
Hearing date Mar 30 am
Accompanied a new draft, see S. 1823
- S 689 - Petition of William R. Keating for legislation relative to classification of risks and establishment of premium charges for motor vehicles.
Hearing date Mar 18 am
Accompanied a new draft, see S. 1823
- S 690 - Petition of William R. Keating, Frederick E. Berry, Michael W. Morrissey, Robert Emmet Hayes, David B. Cohen and John C. Bartley for legislation to provide medical benefits for ulcerative colitis and other diseases under group insurance agreements.
Hearing date Apr 6 am
Accompanied a new draft, see S. 1901
- S 691 - Petition of Arthur Joseph Lewis, Jr., for legislation relative to the availability of certain coverages through the Commonwealth automobile reinsurers.
Hearing date Mar 23 am
Ought not to pass, report accepted
- S 692 - Petition of Arthur Joseph Lewis, Jr., for legislation relative to the limits of liability for uninsured and underinsured motor vehicle coverage.
Hearing date Mar 23 am
Accompanied a new draft, see S. 1823
- S 693 - Petition of Arthur Joseph Lewis, Jr., for legislation to require insurance carriers to pay a dispensing fee to pharmacists.
Hearing date Mar 11 am
Ought not to pass, report accepted

- S 694 - Petition of Arthur Joseph Lewis, Jr., for legislation to require insurance carriers to inform pharmacists when an individual or group of individuals are no longer eligible to receive benefits for the payment of prescription medicine.
Hearing date Mar 11 am
Ought not to pass, report accepted
- S 695 - Petition of Arthur Joseph Lewis, Jr., for legislation relative to assigned risk insurance policies.
Hearing date Mar 30 am
Accompnaied a study order, see H. 5698
- S 696 - Petition of David H. Locke for legislation to require notice to employees prior to cancellation of group insurance.
Hearing date Mar 11 am
Pending motion to reconsider negatived
- S 697 - Petition of william Q. MacLean, Jr., for legislation to further regulate credit life insurance and credit accident and health insurance.
Hearing date Mar 25 am
Pending new draft substituted, see S. 1973
- S 698 - Petition of Linda J. Melconian for legislation relative to automobile insurance premium charges.
Hearing date Mar 18 am
Accompanied a study order, see H. 5722
- S 699 - Petition of Linda J. Melconian for legislation to allow freedom of choice for Medex subscribers.
Hearing date Apr 8 am
Accompanied a new draft, see S. 1831
- S 700 - Petition of Linda J. Melconian and John P. Burke for legislation to require insurance companies, hospital service corporations and medical service corporations to provide certain preventive care services for children.
Hearing date Mar 9 am
Bill reported favorably by committee, referred to Senate Ways and Means
- S 701 - Petition of Linda J. Melconian for legislation relative to computation of automobile insurance rates.
Hearing date Mar 18 am
Accompanied S. 1669

- S 702 - Petition of the Associated General Contractors of Massachusetts, Inc., by William D. Kane, Linda J. Melconian and John P. Burke for legislation to prohibit gaps in insurance paid by consumers.
Hearing date Mar 30 am
Accompanied a study order, see S. 2015
- S 703 - Petition of Linda J. Melconian for legislation to further regulate the licensing of insurance agents and brokers.
Hearing date Mar 25 am
Accompanied a new draft, see S. 1823
- S 704 - Petition of Linda J. Melconian and John P. Burke for legislation relative to public disclosure by health insurers.
Hearing date Mar 11 am
Accompanied a new draft, see H. 5815
- S 705 - Petition of Linda J. Melconian for legislation relative to the cancellation and non-renewal of certain insurance policies.
Hearing date Mar 30 am
Accompanied a new draft, see S. 1890
- S 706 - Petition of Linda J. Melconian for legislation to increase the availability of Medex insurance coverage.
Hearing date Apr 8 am
Accompanied a new draft, see S. 1753
- S 707 - Petition of Linda J. Melconian, martin T. Reilly, John P. Burke and William Q. MacLean, Jr., for legislation to increase the membership of the Liquor Liability Joint Underwriters Association.
Hearing date Mar 4 am
Accompanied a new draft, see S. 1677
- S 708 - Petition of Linda J. Melconian and John P. Burke for legislation relative to automobile insurance payments for collision repair.
Hearing date Mar 23 am
Signed by the Governor, Chapter 189 Acts
- S 709 - Petition of Linda J. Melconian and John P. Burke for legislation to increase the availability of health insurance in the Commonwealth.
Hearing date Apr 8 am
Accompanied a new draft, see S. 1830

- S 710 - Petition of Michael LoPresti, Jr., John P. Burke, Frederick E. Berry, Thomas P. White and Linda J. Melconian for legislation to provide human services provider liability insurance.
Hearing date Mar 30 am
Bill reported favorably by committee, referred to Senate Ways and Means.
- S 711 - Petition of Theodore M. Gross and Lois G. Pines for legislation require notification or expiration of group insurance agreement.
Hearing date Mar 11 am
Ought not to pass, report accepted
- S 712 - Petition of Paul J. Sheehy for legislation to extend group rates to individuals purchasing health insurance.
Hearing date Mar 9 am
Ought not to pass, report accepted
- S 713 - Petition of Joseph B. Walsh for legislation to limit the amount of fire insurance for certain policies.
Hearing date Apr 1 am
Ought not to pass, report accepted
- S 714 - Petition of Peter C. Webber for legislation relative to asbestos removal legal liability insurance.
Hearing date Mar 30 am
Accompanied a new draft, see S. 1823
- S 715 - Petition of Peter C. Webber and Argeo Paul Cellucci for legislation to amend provisions of the motor vehicle insurance laws.
Hearing date Mar 23 am
Accompanied a new draft, see S. 1823
- S 716 - Petition of Robert D. Wetmore for legislation to provide for the inclusion of custodial or nursing home care costs for persons with Alzheimer's disease in health insurance policies.
Hearing date Mar 9 am
Accompanied a new draft, see S. 1830
- S 717 - Petition of Thomas P. White for legislation to establish uniformity of health coverage payments.
Hearing date Mar 11 am
Bill reported favorably by committee, referred to Senate Ways and Means

- S 718 - Petition of Thomas P. White for legislation to clarify the rights of purchasers of group health coverage.
Hearing date Mar 11 am
Accompanied a new draft, see S. 1754
- S 719 - Petition of Thomas P. White for legislation to clarify municipal contracting authority relative to group insurance.
Hearing date Mar 11 am
Accompanied a new draft, see S. 1754
- S 1564 - Petition of the Group Against Smoking Pollution of Massachusetts, by Edward L. Sweda, Jr., Joseph K. Mackery and other members of the General Court for legislation to reduce insurance rates for nonsmokers.
Hearing date Apr 1 am
Ought not to pass, report accepted
- S 1620 - Petition of William Q. MacLean, Jr., for legislation to exempt credit unions from the limitations on certain charges for credit accident and health insurance for certain loans.
Hearing date Mar 25 am
Accompanied S. 697
- S 1669 - Petition of Linda J. Melconian for legislation to reform the automobile insurance laws of the Commonwealth.
Hearing date Apr 8 am
New draft substituted, see S. 1975
- S 1670 - Petition of Joseph B. Walsh for legislation relative to automobile repair estimates.
Hearing date Apr 6 am
House concurred
- S 1705 - Petition of Edward L. Burke for legislation to further regulate individual deferred premium liability in regards to medical malpractice premiums.
Hearing date Apr 15 am
Signed by the Governor, Chapter 169 Acts
- S 1706 - Petition of Linda J. Melconian and Francis H. Woodward for legislation to further regulate medical malpractice insurance premiums.
Hearing date Apr 15 am
Signed by the Governor, Chapter 69 Acts

- S 1711 - Petition of Linda J. Melconian for legislation relative to the insurance coverage of early intervention services.
Hearing date Apr 27
Accompanied a new draft, see S. 1829
- S 1738 - Petition filed at the request of the Professional Insurance Agents of New England, by Daniel J. Foley, Jr., for legislation relative to insurance company rate filings.
Hearing date Apr 29
Accompanied a new draft, see S. 1823
- S 1900 - Petition of Peter C. Webber and Sherwood Guernsey for legislation to require inspections of motor vehicles by insurers.
Hearing date Jun 9 am
Accompanied a study order, see H. 5723
- S 2014 - Petition of Peter C. Webber and Sherwood Guernsey for legislation to further regulate motor vehicle insurance.
Hearing date Oct 19 am
Accompanied a study order, see S. 2049
- S 147 - So much of the recommendations of the Division of Insurance as relates to the enforcement of the insurance laws.
Hearing date Apr 6 am
Accompanied a study order, see S. 2015
- S 148 - So much of the recommendations of the Division of Insurance as relates to further restricting discrimination by insurers against the blind, physically impaired and mentally retarded.
Hearing date Apr 1 am
Accompanied a new draft, see H. 5567
- S 150 - So much of the recommendations of the Division of Insurance as relates to health maintenance organizations.
Hearing date Mar 11 am
Accompanied a study order, see H. 5472
- H 159 - So much of the recommendations of the Executive Office of Labor as relates to asbestos removal legal liability insurance.
Hearing date Mar 30 am
Accompanied a study order, see H. 5472
- H 177 - So much of the recommendations of the Department of Labor and Industries as relates to clarifying the sanction provision for failure to give notice as required under the law relative to the continuation of insurance benefits.
Hearing date Mar 11 am
Ought not to pass, report accepted

- H 330 - Petition of John H. Flood that provisions be made for municipal legal liability insurance.
Hearing date Mar 30 am
Ought not to pass, report accepted.
- H 331 - Petition of Joseph H. Hermann relative to increasing the limit requiring fire insurance companies to contribute to certain costs for fire protection.
Hearing date Mar 30 am
Accompanied a study order, see H. 5472
- H 332 - Petition of William G. Reinstein for legislation to further regulate insurance rates for motor vehicles.
Hearing date Mar 18 am
Accompanied a study order, see H. 5722
- H 572 - Petition of Joseph M. Connolly relative to merit rating surcharges by insurance companies.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 573 - Petition of John F. Cox relative to reinsurance involving domestic life companies.
Hearing date Mar 25 am
Signed by the Governor, Chapter 86 Act.
- H 574 - Petition of Charles Robert Doyle that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be made uniform throughout the Commonwealth.
Hearing date Mar 18 am
Accompanied S. 1669
- H 575 - Petition of William J. McCafferty and Charles Robert Doyle relative to authorizing installment payments on insurance premiums.
Hearing date Mar 25 am
Ought not to pass, report accepted.
- H 576 - Petition of Robert F. Jakubowicz for legislation to establish standards for the Commissioner of Insurance to fix premium rates for medical malpractice insurance.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 577 - Petition of Robert F. Jakubowicz relative to providing for a joint underwriting association to provide personal, business and professional liability insurance other than medical malpractice, liquor liability and motor vehicle liability insurance.
Hearing date Mar 30 am
Accompanied a study order, see S. 2015

- H 578 - Petition filed at the request of Robert Leo that provisions be made for health insurance benefits to tobacco and smoking addicted persons and to require health maintenance contracts to provide coverage for tobacco and smoking addicted persons.
Hearing date Apr 1 am
Ought not to pass, report accepted
- H 579 - Petition of Francis H. Woodward relative to increasing the tort threshold, tort benefit levels and minimum limits of liability under the motor vehicle insurance law.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 580 - Petition of Francis H. Woodward for legislation to further regulate insurance companies desiring to withdraw from a particular product or line of insurance.
Hearing date Mar 30 am
Accompanied a study order, see S. 2015
- H 581 - Petition of Francis H. Woodward for legislation to further regulate special insurance brokers..
Hearing date Mar 30 am
Read second and ordered a Third Reading
- H 582 - Petition of Francis H. Woodward for legislation to further regulate the licensing of insurance advisors.
Hearing date Apr 6 am
Accompanied a study order, see H. 5472
- H 583 - Petition of the Retired State, County & Municipal Employees Association of Mass., and Francis H. Woodward relative to further regulating group life insurance.
Hearing date Mar 4 am
Ought not to pass, report accepted
- H 777 - Petition of Sherwood Guernsey for legislation to require that certain health care insurance policies cover payment for costs arising from speech and language disorders.
Hearing date Mar 9 am
Accompanied a study order, see H. 5472
- H 974 - Petition of Francis G. Mara relative to mental illness benefit
Hearing date Apr 2 am
Accompanied a new draft, see H. 5659
- H 976 - Petition of Robert Correia relative to providing treatment for alcoholism in certain health insurance policies.
Hearing date Mar 9 am
Accompanied a study order, see H. 6025

- H 977 - Petition of Kevin Poirier and Stephen J. Karol for legislation to require health insurance policies to provide benefits for diabetes patients.
Hearing date Mar 9 am
Accompanied a study order, see H. 5472
- H 1171 - Petition of Frank A. Emilio and another relative to the replacement of life insurance.
Hearing date Mar 25 am
Ought not to pass, report accepted.
- H 1172 - Petition of Frank A. Emilio and another relative to fairness of competition in insurance.
Hearing date Mar 25 am
Accompanied a study order, see H. 5472
- H 1173 - Petition of Frank A. Emilio and another relative to the licensing of persons to sell securities by the Commissioner Insurance.
Hearing date Mar 25 am
Accompanied a study order, see H. 5472
- H 1174 - Petition of Robert L. Howarth relative to health insurance provided to students at state colleges and universities.
Hearing date Mar 11 am
Accompanied a new draft, see H. 5338
- H 1175 - Petition of Peter B. Morin that provision be made for continuation of insurance coverage for surviving dependents of public employees.
Hearing date Mar 4 am
Bill reported favorably by committee, referred to House Counties
- H 1176 - Petition of Michael P. Walsh and another relative to liquor legal liability insurance.
Hearing date Mar 4 am
Accompanied a new draft, see S. 1677
- H 1177 - Petition of Michael P. Walsh relative to liability insurance for permanent amusement parks.
Hearing date Mar 30 am
Bills in the Third Reading new draft substituted, see H. 5638
- H 1178 - Petition of Michael P. Walsh, Walter A. DeFilippi, Steven D. Pierce and Shannon P. O'Brien relative to the classification of risks in automobile insurance.
Hearing date Mar 18 am
Accompanied S. 1669

- H 1179 - Petition of Michael P. Walsh and Walter A. DeFilippi for legislation to require persons or organizations filing legislative proposals relative to mandating health coverage by insurance carriers to submit a report to the legislative committee having jurisdiction on the social and financial impact of such coverage.
Hearing date Mar 9 am
Ought not to pass, report accepted
- H 1180 - Petition of Michael P. Walsh and Jonathan L. Healy that the Commissioner of Insurance be authorized to establish a schedule of motor vehicle insurance discounts for low mileage drivers.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 1330 - Petition of Frances F. Alexander and other members of the General Court for legislation to provide for the continuation of certain health insurance coverage for surviving spouses for a period of eighteen months following the death of his or her spouse.
Hearing date Mar 9 am
Accompanied a study order, see H. 5472
- H 1331 - Petition of James T. Brett for legislation to provide for human services provider liability insurance.
Hearing date Mar 30 am
Accompanied S. 710
- H 1332 - Petition of James T. Brett relative to duplicative recoveries in certain actions against health care providers.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 1333 - Petition of James T. Brett relative to medical insurance for parole officers and parole supervisors of the Parole Board.
Hearing date Apr 1 am
Ought not to pass, report accepted
- H 1334 - Petition of James T. Brett for legislation to provide that classifications of risks and premium charges for motor vehicle liability insurance be uniform throughout the Commonwealth.
Hearing date Mar 18 am
Accompanied S. 1669

- H 1335 - Petition of Fred Trusten, Eleanor Myerson and other members of the General Court for legislation to continue the health benefits of state employees on unpaid maternity or parental leave.
Hearing date Apr 6 am
Accompanied a new draft, see H. 5743
- H 1368 - Petition of John H. Loring for legislation to require the Registrar of Motor Vehicles to stamp the certificate of title of certain motor vehicles determined to be a total loss.
Hearing date Mar 11 am
Accompanied a study order, see H. 5772
- H 1524 - Petition of the Mass. AFL-CIO State Labor Council and Robert A. Durand relative to non-profit medical and hospital service corporations.
Hearing date Apr 8 am
Ought not to pass, report accepted
- H 1528 - Petition of Bárbara E. Gray relative to volume adjustments under certain hospital agreements.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 1531 - Petition of Michael P. Walsh relative to clarifying the rights of subscribers to non-profit medical service plans.
Hearing date Apr 8 am
Accompanied a new draft, see S. 1831
- H 1559 - Petition of William Constantino, Jr., for legislation to include custodial or nursing home care costs in health insurance policies of persons with Alzheimer's disease.
Hearing date Mar 9 am
Accompanied a new draft, see S. 1830
- H 1560 - Petition of Frank A. Emilio relative to the regulation and control of the conduct of insurers not authorized to conduct the business of insurance within the Commonwealth.
Hearing date Mar 25 am
Bill reported favorably by committee, referred to House Ways and Means
- H 1561 - Petition of Frank A. Emilio relative to licensing requirements for insurance agents.
Hearing date Mar 25 am
Accompanied a study order, see H. 5472
- H 1562 - Petition of Kevin W. Fitzgerald for legislation relative to the selling of insurance.
Hearing date Mar 25 am
Accompanied a study order, see H. 5472

- H 1563 - Petition of Barbara E. Gray, Frances F. Alexander, Patricia G. Fiero and John P. Burke relative to amending the health insurance laws to provide for continuing coverage for spouses of deceased persons.
Hearing date Mar 9 am
Accompanied a study order, see H. 5472.
- H 1564 - Petition of David P. Magnani relative to the payment of insurance claims for damage to municipal property.
Hearing date Mar 4 am
Ought not to pass, report accepted
- H 1565 - Petition of Michael P. Walsh relative to further regulating certain health care plan restrictions.
Hearing date Mar 11 am
Accompanied a study order, see H. 5472
- H 1566 - Petition of W. Paul White, Emanuel G. Serra, Marjorie A. Clapprood and Royal L. Bolling, Sr., relative to information required for police reports pursuant to vehicle fire or theft insurance claims.
Hearing date Mar 4 am
Accompanied a new draft, see H. 5223
- H 1691 - Petition of Richard J. Rouse relative to automobile insurance premium charges.
Hearing date Mar 18 am
Accompanied a study order, see H. 5722
- H 1736 - Petition of Mary Jeanette Murray relative to procedures by insurers in the case of motor vehicles declared to be a total loss.
Hearing date Mar 11 am
Accompanied a study order, see H. 5772
- H 1830 - Petition of Stanley C. Rosenberg and John W. Oliver (by vote of the town) relative to the establishment of a municipal liability insurance fund by the town of Amherst.
Hearing date Mar 4 am
Accompanied a new draft, see H. 5667
- H 2033 - Petition of Theodore J. Aleixo, Jr., relative to motor vehicle insurance.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 2034 - Petition of Theodore J. Aleixo, Jr., for legislation to establish incentive to automobile insurance policyholders who use seatbelts.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472

- H 2035 - Petition of Frank M. Hynes, Peter Forman and Joseph B. McIntyre for legislation to require insurers to promptly notify insureds of certain surcharges.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 2036 - Petition of Frank M. Hynes and Thomas G. Palumbo for legislation relative to premium credits on motor vehicle insurance policies.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 2037 - Petition of William B. Vernon relative to the cost containment of insurance rates.
Hearing date Apr 6 am
Ought not to pass, report accepted
- H 2038 - Petition of William B. Vernon relative to the cost containment of motor vehicle insurance rates.
Hearing date Apr 6 am
Ought not to pass, report accepted
- H 2039 - Petition of William B. Vernon relative to cost efficient examination of financial conditions of insurance companies.
Hearing date Mar 25 am
Ought not to pass, report accepted
- H 2199 - Petition filed at the request of Melvin E. Silberstein for legislation to prohibit the use of geographical location in setting motor vehicle insurance rates.
Hearing date Mar 18 am
Accompanied S. 1669
- H 2200 - Petition filed at the request of Melvin E. Silberstein for legislation to require compulsory motor vehicle liability insurance for each licensed operator instead of each motor vehicle for the purpose of establishing just and reasonable insurance rates.
Hearing date Mar 23 am
Accompanied S. 1669
- H 2201 - Petition of James T. Brett, Sherwood Guernsey, Marjorie A. Clapprood, Sandra Graham, Mary Jane Gibson and David B. Cohen that provisions be made for human services providers liability insurance.
Hearing date Mar 30 am
Accompanied S. 710

- H 2202 - Petition of Peter Forman, Edward P. Kirby, Augusta Hornblower, Peter B. Morin, Mary Jeanette Murray and Charles W. Mann for legislation to provide for local option insurance coverage of reserve, permanent-intermittent or call fire fighters.
Hearing date Mar 4 am
Signed by the Governor, Chapter 246 Acts
- H 2203 - Petition of Peter Forman and Joseph B. McIntyre relative to regulating credit life insurance and credit accident and health insurance.
Hearing date Mar 25 am
Accompanied S. 697
- H 2204 - Petition of Christopher J. Hodgkins and other members of the House that insurance companies and others be required to make reimbursements for services performed by licensed acupuncturists
Hearing date Mar 9 am
Accompanied a new draft, see S. 1726
- H 2205 - Petition of Charles E. Silvia, William E. Moriarty, Richard T. Moore and Mary Jeanette Murray for legislation to authorize the Commissioner of Insurance to establish a comprehensive health insurance plan for certain former employees.
Hearing date Mar 9 am
Accompanied a study order, see H. 5472
- H 2357 - Petition of Lawrence R. Alexander for legislation to increase the amount of policies which savings and insurance banks may have in force at any one time on any one life.
Hearing date Mar 25 am
Accompanied a study order, see H. 5472
- H 2358 - Petition of Lawrence R. Alexander, Christopher J. Hodgkins, Marie J. Parente and Frances F. Alexander for legislation to require that persons convicted of drunk driving be required to maintain higher bodily injury insurance coverage before such persons are reinstated with licenses to operate motor vehicles.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 2359 - Petition of Marjorie A. Clapprood relative to the periodic payment of damages in certain actions involving health care providers under the medical malpractice law.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472

- H 2360 - Petition of Marjorie A. Clapprood relative to the qualifications of witnesses as experts in certain actions involving specialists under the medical malpractice law.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 2361 - Petition of Marjorie A. Clapprood relative to duplicative recoveries in certain actions against health care providers under the medical malpractice law.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 2362 - Petition filed at the request of Generosa Zizza for an investigation by a special commission (including members of the General Court) relative to the rates charged by medical and health care insurance providers.
Hearing date Mar 11 am
Ought not to pass, report accepted
- H 2556 - Petition of David B. Cohen for legislation to provide continued medical coverage upon termination of employment.
Hearing date Mar 9 am
Accompanied a study order, see H. 5472
- H 2557 - Petition of David B. Cohen and Kevin W. Fitzgerald relative to certain mental health and alcoholism treatment benefits to be covered by health insurance coverage and other medical contracts.
Hearing date Mar 9 am
Accompanied a new draft, see H. 5659
- H 2558 - Petition of David B. Cohen for legislation to establish a pollution liability reinsurance corporation.
Hearing date Apr 6 am
Accompanied a new draft, see H. 5366
- H 2559 - Petition of Robert A. Durand, Marjorie A. Clapprood and another for legislation to issue homemaking services for certain persons insured against accident or injury.
Hearing date Mar 9 am
Accompanied a study order, see H. 5472
- H 2560 - Petition of Michael F. Flaherty for legislation to further regulate the disbursement of insurance proceeds.
Hearing date Mar 4 am
Ought not to pass, report accepted

- H 2561 - Petition of Michael F. Flaherty relative to reviving and continuing the special commission (including members of the General Court) established to make an investigation and study relative to the purpose of examining the procedures of admitting certain drug-alcohol patients for detoxification and extending drug-alcohol education and rehabilitation by insurance companies.
Hearing date Mar 4 am
Accompanied a study order, see H. 6025
- H 2774 - Petition of Salvatore F. DiMasi relative to increasing the minimum limits of liability under motor vehicle liability bonds and motor vehicle liability policies.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 2775 - Petition of Kevin W. Fitzgerald relative to providing health maintenance organization coverage for uninsured residents of the Commonwealth.
Hearing date Mar 9 am
Accompanied a new draft, see S. 1830
- H 2776 - Petition filed at the request of Francis Mitchell for an investigation by a special commission (including members of the General Court) relative to insurance premium rates paid by contractors.
Hearing date Mar 30 am
Ought not to pass, report accepted
- H 2777 - Petition of Francis H. Woodward and other members of the House relative to public disclosure by health insurers.
Hearing date Mar 11 am
Accompanied a new draft, see H. 5815
- H 2977 - Petition filed at the request of David A. MacDonald relative to judicial appeals in automobile insurance cases.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 2978 - Petition of Richard A. Voke relative to contracts between the Group Insurance Commission and certain health maintenance organizations.
Hearing date Mar 4 am
Accompanied a new draft, see S. 1830
- H 2979 - Petition of Richard A. Voke for legislation to require insurance companies, hospital service corporations and medical service corporations to provide certain preventive care services for children.
Hearing date Mar 9 am
Accompanied S. 700

- H 3172 - Petition of Mary Jane Gibson, other members of the General Court and others for legislation to prohibit discrimination relative to insurance contracts.
Hearing date Apr 1 am
Accompanied a new draft, see H. 5531
- H 3173 - Petition of Mary Jane Gibson and another for legislation to establish a system of compensation for injuries related to medical treatment.
Hearing date Mar 11 am
Accompanied a study order, see H. 5472
- H 3174 - Petition of Mary Jane Gibson, Robert A. Havern and Carol C. Amick for legislation to prohibit discrimination relative to newly issued insurance contracts.
Hearing date Apr 1 am
Accompanied a new draft, see H. 5531
- H 3175 - Petition of Francis H. Woodward, Michael P. Walsh, Frank A. Emilio, John F. Cox, Francis G. Mara and Joseph B. McIntyre that insurance companies be notified by local fire departments of motor vehicles destroyed by arson.
Hearing date Mar 4 am
Accompanied a new draft, see H. 5223
- H 3303 - Petition of Robert L. Howarth for legislation to include chiropractic services in health maintenance organization coverage.
Hearing date Mar 11 am
Bill reported favorably by committee, referred to House Ways and Means
- H 3304 - Petition of Stephen J. Karol for legislation to require insurance companies to grant a ten percent discount to motor vehicle operators who wear seat belts.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 3305 - Petition of Michael J. McGlynn and John F. Cox for legislation to reduce the premium for house insurance of certain elderly persons.
Hearing date Mar 4 am
Accompanied a study order, see H. 5472

- H 3306 - Petition of Joseph M. Bonavita and Joan M. Menard for legislation to allow the surviving spouse of a municipal employee to participate in the health insurance program at the group rate.
Hearing date Apr 15 am
Accompanied a new draft, see S. 1782
- H 3307 - Petition of Michael P. Walsh and Francis G. Mara relative to examinations of domestic life insurance companies.
Hearing date Mar 25 am
Ought not to pass, report accepted
- H 3495 - Petition of David B. Cohen and other members of the General Court relative to liability insurance in the Commonwealth.
Hearing date Mar 30 am
Accompanied a study order, see S. 2015
- H 3496 - Petition of Henry R. Grenier relative to automobile insurance premium charges.
Hearing date Mar 18 am
Accompanied a study order, see H. 5722
- H 3497 - Petition of Iris K. Holland and other members of the House relative to the fixing and establishment of classifications of motor vehicle insurance rates for handicapped persons and veterans.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 3498 - Petition of Kenneth M. Lemanski to the imposition of surcharges on motor vehicle insurance policies.
Hearing date mar 18 am
Accompanied a study order, see H. 5472
- H 3499 - Petition of Kenneth M. Lemanski relative to further regulating the imposition of surcharges on motor vehicle insurance policies.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 3721 - Petition of Sherwood Guernsey, John E. McDonough, Marjorie A. Clapprood, Royal L. Bolling, Sr., and Barbara E. Gray relative to the medical definition of infertility in certain insurance policies.
Discharged to Health Care

- H 3722 - Petition of Sherwood Guernsey relative to motor vehicle liability and motor vehicle insurance.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 3723 - Petition of Sherwood Guernsey and Marjorie A. Clapprood relative to regulating medical malpractice insurance.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 3724 - Petition of Sherwood Guernsey and other members of the House relative to automobile insurance premium charges.
Hearing date Mar 18 am
Accompanied a study order, see H. 5722
- H 3725 - Petition of Christopher J. Hodgkins, Patricia A. Walrath, Peter C. Webber, Carmen D. Buell, Jonathan L. Healy and another relative to requiring owners of recreational vehicles to carry liability insurance.
Hearing date Mar 23 am
Ought not to pass, report accepted
- H 3726 - Petition of Gregory W. Sullivan relative to automobile liability insurance on certain commercial vehicles.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 3896 - Petition of Thomas S. Cahir relative to additional group benefits for municipal employees.
Hearing date Mar 4 am
Ought not to pass, report accepted
- H 3897 - Petition of Barbara Hildt for an investigation by a special commission (including members of the General Court) relative to the organization and practices of Blue Cross of Massachusetts, Inc., and Blue Shield of Massachusetts, Inc.
Hearing date Apr 8 am
Ought not to pass, report accepted
- H 3898 - Petition of Henri S. Rauschenbach, Robert Correia, Walter J. Boverini, John W. Olver and Thomas S. Cahir relative to further clarifying health maintenance organization coverage for public employees.
Hearing date Mar 4 am
Signed by the Governor, Chapter 575 Acts
- H 3899 - Petition of Emanuel G. Serra for legislation to prohibit discrimination in disability insurance policies and the determination of premiums and benefits payable relative to such policies.
Hearing date Apr 1 am
Accompanied a new draft, see H. 5531

- H 3900 - Petition of Emanuel G. Serra for legislation to provide that
• automobile insurance premiums be based on individual driving
records.
Hearing date Mar 23 am
Accompanied S. 1669
- H 3901 - Petition of Emanuel G. Serra relative to insurable interest
in certain vehicles..
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 3902 - Petition of Emanuel G. Serra for legislation to prohibit
discrimination relative to insurance contracts.
Hearing date Apr 1 am
Accompanied a new draft, see H. 5531
- H 3903 - Petition of Emanuel G. Serra for legislation to require annual
reports by property and casualty insurers.
Hearing date Mar 4 am
Accompanied a study order, see S. 2015
- H 3904 - Petition of Emanuel G. Serra for legislation to increase the
amount of group life insurance for state employees.
Hearing date Mar 4 am
Ought not to pass, report accepted
- H 4063 - Petition of Francis X. Bellotti and Carmen D. Buell relative to
the extraterritorial application of mandated insurance benefits
Hearing date Mar 25 am
Ought not to pass, report accepted
- H 4064 - Petition of Salvatore F. DiMasi that provision be made for lowe
insurance rates for non-smokers.
Hearing date Mar 9 am
Ought not to pass, report accepted
- H 4065 - Petition of Salvatore F. DiMasi for legislation to require that
filings of homeowner's insurance rates be uniform throughout
the Commonwealth.
Hearing date Apr 6 am
Ought not to pass, Report accepted
- H 4066 - Petition of Salvatore F. DiMasi and another for legislation to
provide insurance rebates for motorists who use overnight
off-street parking.
Hearing date Mar 18 am
Ought not to pass, report accepted

- H 4067 - Petition of Salvatore F. DiMasi relative to the right of defendants in motor vehicle cases to select their own attorney.
Hearing date Mar 23 am
Ought not to pass, report accepted
- H 4068 - Petition of Stephen W. Doran for legislation to provide group health insurance coverage to individuals.
Hearing date Mar 9 am
Ought not to pass, report accepted
- H 4069 - Petition filed at the request of John Hanley relative to insurance on newly purchased motor vehicles.
Hearing date Mar 23 am
Ought not to pass, report accepted
- H 4070 - Petition of Marie-Louise Kehoe for legislation to increase the amount of money fire insurance companies are required to contribute to certain costs for fire protection.
Hearing date Apr 6 am
Accompanied a study order, see H. 5472
- H 4071 - Petition of Marie-Louise Kehoe for legislation to regulate certain insurance charges in homeowners policies.
Hearing date Mar 4 am
Ought not to pass, report accepted
- H 4072 - Petition of Marie-Louise Kehoe relative to insurance rights of retired public employees.
Hearing date Mar 4 am
Read second and ordered to a Third Reading
- H 4228 - Petition of Barbara E. Gray and another relative to volume adjustments under certain hospital agreements.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 4230 - Petition of Robert L. Howarth for legislation to provide for chiropractic services in health maintenance organizations.
Hearing date Mar 11 am
Accompanied a new draft, see H. 5614
- H 4250 - Petition of Paul E. Caron for legislation to provide that certain health insurance coverage terminate due to the remarriage of the former spouse of a group member.
Hearing date Mar 9 am
Ought not to pass, report accepted

- H 4251 - Petition of Paul E. Caron for legislation to require persons convicted of drunk driving to purchase bodily injury insurance to aid victims of drunk driving.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 4252 - Petition of Robert F. Jakubowicz that insurance companies be required to offer an installment payment plan for certain liability insurance policies.
Hearing date Mar 30 am
Accompanied a study order, see H. 5472
- H 4253 - Petition of the Mass. Building Trades Council, AFL-CIO, and Richard T. Moore for legislation to provide that certain health insurance coverage shall terminate due to the remarriage of the former spouse of a group member.
Hearing date Mar 9 am
Ought not to pass, report accepted
- H 4396 - Petition of Joseph M. Connolly for legislation to require independent audits of nonprofit hospital service corporations and medical service corporations.
Hearing date Apr 8 am
Ought not to pass, report accepted
- H 4421 - Petition of Ellen M. Canavan relative to certain policies for medical malpractice insurance.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 4553 - Petition of Michael F. Flaherty relative to the treatment of alcoholics and chemically dependent persons.
Hearing date Apr 1 am
Accompanied a study order, see H. 6025
- H 4560 - Petition of John C. Bradford and another relative to the classification of sailmaker shops for fire insurance.
Hearing date Mar 30 am
Bills in the Third Reading new draft substituted, see H. 5686
- H 4561 - Petition of Sherwood Guernsey and Marjorie A. Clapprood relative to the payment of interest on certain medical malpractice judgements.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472

- H 4562 - Petition of Barbara Hildt and Nicholas J. Costello for legislation to regulate surcharges on motor vehicle insurance.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 4563 - Petition filed at the request of Robert F. Ford relative to a reduction of motor vehicle insurance premiums for the wearing of seat belts.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 4564 - Petition of William G. Reinstein for legislation to establish a flat rate premium charge for motor vehicle insurance.
Hearing date Mar 18 am
Accompanied S. 1669
- H 4565 - Petition of William G. Reinstein relative to the establishment of insurance premium charges.
Hearing date Mar 18 am
Accompanied a study order, see H. 5722
- H 4566 - Petition of William G. Reinstein relative to the cancellation of accident and sickness insurance policies.
Hearing date Apr 6 am
Accompanied a study order, see H. 5472
- H 4567 - Petition of Peter A. Vellucci for legislation to modify the application for mortgage loans to make information available to banks relative to potential arson customers.
Hearing date Apr 6 am
Accompanied a study order, see H. 5472
- H 4568 - Petition of Peter A. Vellucci for legislation to strengthen disclosure provisions of the law regulating insurance contracts against losses by fire.
Hearing date Apr 6 am
Accompanied a study order, see H. 5472
- H 4569 - Petition of Michael P. Walsh for legislation to clarify the authority of the Commissioner of Insurance.
Hearing date Apr 1 am
Bill reported favorably by committee and referred to House Ways and Means
- H 4715 - Petition of Sherwood Guernsey and Marjorie A. Clapprood relative to judgments against providers of health care for certain medical malpractice errors.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472

- H 4716 - Petition of Sherwood Guernsey for legislation to further regulate certain medical malpractice insurance policies.
Hearing date Apr 8 am
Accompanied a study order, see H. 5472
- H 4717 - Petition of Sherwood Guernsey for legislation to further regulate companies issuing liability insurance.
Hearing date Mar 30 am
Accompanied a study order, see S. 2015
- H 4718 - Petition of Francis X. Bellotti, Joseph B. McIntyre and John C. Bartley relative to increasing funding for the Attorney General's representation of consumers in insurance matters.
Hearing date Mar 30 am
Accompanied a study order, see H. 5472
- H 4719 - Petition filed at the request of Saul I. Vanderwoude for legislation to limit the amount recoverable under a motor vehicle liability insurance policy by persons not wearing seat belts at the time of a motor vehicle accident.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472
- H 4720 - Petition of Mary Jeanette Murray for legislation to require persons to wear seat belts while operating motor vehicles in order to recover damages or medical payments for personal injuries.
Hearing date Ma 18 am
Accompanied a study order, see H. 5472
- H 4721 - Petition filed at the request of John Cramer for legislation to prohibit the imposition of surcharges by insurance companies for the first offense of a traffic violation.
Hearing date Mar 18 am
Accompanied a study order, see H. 5472.
- H 4722 - Petition of Gregory W. Sullivan relative to motor vehicle liability insurance on certain commercial vehicles.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472
- H 4723 - Petition of Gregory W. Sullivan that provision be made for the reimbursement of certain overcharges of motor vehicle insurance premiums to owners of taxicabs.
Hearing date Mar 23 am
Accompanied a study order, see H. 5472

- H 4724 - Petition of Gregory W. Sullivan for legislation to further regulate certain health insurance plans relative to cardiac rehabilitation expenses.
Hearing date Apr 1 am
Accompanied a study order, see H. 5472
- H 4837 - Petition filed at the request of Jonathan C. Ricker that provision be made for a reduction in the insurance premiums for persons using the save lives anti-accident device in motor vehicles registered in the Commonwealth.
Hearing date Apr 6 am
Accompanied a study order, see H. 5472
- H 4838 - Petition of Paul E. Caron and Kenneth M. Lemanski for legislation to continue group health insurance coverage for certain employees whose employment has terminated.
Hearing date Apr 1 am
Accompanied a study order, see H. 5472
- H 4839 - Petition of Francis H. Woodward and other members of the House for an investigation by a special commission (including members of the General Court) relative to motot vehicle insurance in the Commonwealth.
Hearing date Mar 4 am
Accompanied a new draft, see H. 5235
- H 4855 - Petition of John A. Businger and Richard R. Tisei relative to the provision of an optional disability insurance plan for all employees of the Commonwealth.
Hearing date Apr 1 am
Accompanied a study order, see H. 5472
- H 4956 - Petition of Nicholas A. Paleologos relative to establishing a public insurance corporation in the Commonwealth.
Hearing date Apr 6 am
Accompanied a study order, see H. 5472
- H 4957 - Petition of William G. Reinstein for legislation to further regulate the return of motor vehicle number plates upon cancellation of insurance.
Hearing date Apr 1 am
Accompanied a new draft, see H. 5339
- H 4958 - Petition of Michael P. Walsh and other members of the House relative to increasing access to medical care for medical service corporation subscribers.
Hearing date Apr 8 am
Accompanied a new draft, see S. 1831

- H 5060 - Petition of Marjorie A. Clapprood for an investigation by a special commission (including members of the General Court) relative to the reimbursement practices of certain health plans concerning coverage for cardiac rehabilitation expenses.
Hearing date Apr 1 am
Accompanied a study order, see H. 5472
- H 5061 - Petition filed at the request of John J. Pignatelli, Jr., and others that counties, cities and towns be authorized to borrow money for liability insurance.
Hearing date Apr 6 am
Ought not to pass, report accepted
- H 5106 - Petition of John Mastrangelo, Larry F. Giordano and other (with the approval of the town council) that the city known as the town of Methuen be authorized to negotiate group insurance benefits.
Hearing date Apr 6 am
New draft substituted, see H. 5764
- H 5142 - A message from his Excellency the Governor recommending legislation relative to liability insurance.
Hearing date Apr 13 am
Senate concurred
- H 5262 - Annual report of the special commission (under Section 12 of Chapter 362 of the Acts of 1975) relative to medical profession liability insurance and the nature and consequences of medical malpractice.
Placed on file
- H 5291 - Petition of Francis G. Mara relative to the optional sales of universal life insurance to public employees.
Hearing date Apr 27 am
Bill reported favorably by committee and referred to the House Ways and Means
- H 5318 - Petition of Mary Jane Gibson and another that the Belmont Fire-fighters Relief Association, Inc., be authorized to pay certain benefits to members upon retirement.
Hearing date Apr 27 am
Signed by the Governor, Chapter 254 Acts
- H 5319 - Petition of Peter G. Trombley relative to certain benefits payable by the Waltham Police Relief Association Incorporated.
Hearing date Apr 27 am
Signed by the Governor, Chapter 310 Acts

- H 5369 - Petition of Steven Rich and Alfred E. Saggese, Jr., relative to the costs of motor vehicle insurance for certain disabled persons.
Hearing date May 6 am
Accompanied a study order, see H. 5771
- H 5464 - A message from His Excellency the Governor recommending legislation relative to motor vehicle insurance reform.
Hearing date May 26 am
Accompanied a study order, see H. 5772
- H 5584 - Petition of Larry F. Giordano and another for legislation to provide for a deduction in motor vehicle premium charges for persons completing a defensive driving course.
Hearing date Jun 9 am
Accompanied a study order, see H. 5723
- H 5643 - Petition of Marjorie A. Clapprood relative to authorizing the dissolution of the Stoughton Firefighters Relief Association.
Hearing date Jun 9 am
Signed by the Governor, Chapter 261 Acts
- H 5644 - Petition of Francis H. Woodward relative to the Massachusetts crime insurance program.
Hearing date Jun 9 am
Accompanied a new draft, see H. 5706
- H 5645 - Petition of Francis H. Woodward relative to further regulating the licensing of insurance agents and brokers.
Hearing date Jun 9 am
Signed by the Governor, Chapter 262 Acts
- H 5761 - Petition of Thomas P. Walsh and Peter G. Torkildsen relative to the death benefits payable to surviving spouses of members of the Peabody Police Relief Association, Inc.
Hearing date Jul 1 am
Signed by the Governor, Chapter 337 Acts
- H 5880 - Petition of Alfred E. Saggese, Jr., relative to requiring the setting of automobile insurance rates for a two-year period.
Hearing date Sep 16 am
Accompanied a study order, see H. 6025
- H 5991 - Petition of Francis H. Woodward and Linda J. Melconian relative to certain motor vehicle insurance payments.
Hearing date Sep 16 am
Signed by the Governor, Chapter 370 Acts

- H 6073 - Petition of Henri S. Rauschenbach and Paul V. Doane (by vote of the town) that the town of Yarmouth be authorized to establish and maintain a special fund known as the "Town of Yarmouth's Liability Insurance Fund".
Hearing date Oct 19 am
Enacted and laid before the Governor
- H 6076 - Petition of Francis H. Woodward and Linda J. Melconian relative to the Hazardous Waste Insolvency Fund.
Hearing date Oct 19 am
Signed by the Governor, Chapter 642 Acts
- H 6108 - Petition of Francis H. Woodward and Michael P. Walsh relative to medical malpractice insurance.
Hearing date Oct 19 am
Bills in the Third Reading new draft substituted, see H. 6212
- H 6186 - Interim report of the special commission (under Section 12 of Chapter 362 of the Acts of 1975) relative to medical professional liability insurance and the nature and consequences of medical malpractice.
Placed on file
- H 6228 - Petition of Francis H. Woodward and Linda J. Melconian relative to the recommendations of the special commission on medical malpractice.
Hearing date Nov 30 am
Accompanied a new draft, see H. 6267
- H 6925 - Petition of John C. Bartley relative to the Watertown Police Relief Association.
Hearing date Dec 14 am
Signed by the Governor, Chapter 627 Acts
- H 6328 - Petition of Frank A. Emilio for legislation to further regulate retirement benefits which may be made by the Haverhill Firemen's Relief Association.
Hearing date Dec 14 am
Signed by the Governor, Chapter 639 Acts
- H 6334 - Petition of William B. Vernon and John F. Parker for legislation to authorize the dissolution of a corporation known as the Norton Firefighters Relief Association.
Hearing date Dec 21 am
Enacted and laid before the Governor

REDRAFTED LEGISLATION

- S 1677 - Bill increasing the membership of the Liquor Liability JUA.
New draft of S. 707 and H. 1176
Signed by the Governor, Chapter 614 Acts
- S 1736 - Bill to clarify the medical malpractice reform legislation of 1986.
New draft of S. 661
New draft substituted, see S. 1853
- S 1751 - Bill relative to uninsured motor vehicle coverages.
New draft of S. 669
Recommitted to the Committee on House Bills in Third Reading
- S 1752 - Bill relative to false health claims.
New draft of S. 678
Read second and ordered to third reading, no further action taken
- S 1753 - Bill increasing the availability of Medex Insurance coverage.
New draft of S. 706
Amended by striking out all after the enacting clause and inserting in place thereof a new text
- S 1754 - Bill to clarify municipal contracting authority.
New draft of S. 718 and S. 719
Signed by the Governor, Chapter 401 Acts
- S 1791 - Bill providing coverage for certain medical preventive screening tests.
New draft of S. 674
Signed by the Governor, Chapter 363 Acts
- S 1823 - Order relative to authorizing the committee on Insurance to sit during the recess of the General Court for the purpose of making an investigation and study of the subject matter of certain current.
New draft of S. 650, S. 655, S. 660, S. 661, S. 663, S. 665
S. 671, S. 675, S. 676, S. 677, S. 679, S. 687, S. 688, S. 689, S. 692, S. 703, S. 714, S. 715 and S. 1738
Discharged to the committee on Senate Rules
- S 1828 - Bill to provide for the reimbursement for certified registered nurse anesthetist services.
New draft of S. 668
Referred to committee on Senate Ways and Means, no report from committee

- S 1829 - Bill relative to the insurance coverage for early intervention services.
New draft of S. 1711
No report from committee
- S 1830 - Bill increasing the availability of health insurance in the Commonwealth.
New draft of S. 709, S. 716, H. 1559, H. 2775 and H. 2978
Accompanied H. 6096
- S 1831 - Bill relative to increasing access to medical care for medical service corporations.
New draft of S. 490, S. 493, S. 699, H. 1531 and H. 4958
Read second and ordered to a third reading
- S 1890 - Bill relative to the cancellation and non-renewal of certain insurance policies.
New draft of S. 705
No action taken
- S 1901 - Bill providing medical benefits ulcerative colitis and other diseases.
New draft of S. 690
Ordered to a third reading, no further action taken
- S 1973 - Bill relative to regulating credit life insurance and credit accident and health insurance.
Moved (by Ms. Pines) as a new draft for S. 697.
Ordered to a third reading, no further action taken
- S 1975 - Bill relative to reforming the automobile insurance laws of the Commonwealth.
Recommended new draft for S. 1669
Bill rejected
- H 5223 - Bill relating to automobile insurance fraud.
New draft of H. 1566 and H. 3175
Referred to committee on Senate Ways and Means, no report from committee
- H 5338 - Bill relative to health insurance provided to students at state colleges and universities.
New draft of H. 1174
Recommitted to the committee on House Bills in the Third Reading
- H 5339 - Bill further regulating the return of motor vehicle number plates
New draft of H. 4957
Signed by the Governor, Chapter 255 Acts

- H 5366 - Bill relative to pollution liability reinsurance.
New draft of S. 681, S. 685 and H. 2558
Amendment to the pending new draft adopted, substituted by H. 619
as amended
- H 5531 - Bill prohibiting discrimination with respect to newly issued
insurance contracts.
New draft of H. 3172, H. 3174, H. 3899 and H. 3902
Bill reported favorably by committee and referred to the
committee on House Ways and Means
- H 5567 - Bill further restricting discrimination by insurers against
the blind, physically impaired and mentally retarded.
New draft of H. 148
Recommitted to the committee on House Bills in the Third Reading.
- H 5614 - Bill to require subscription certificates under medical service
agreements to provide expense for chiropractic service.
New draft of H. 4230
Signed by the Governor, Chapter 711 Acts
- H 5638 - Bill further regulating liability insurance for permanent amuse-
ment parks.
New draft, substituted for H. 1177
Signed by the Governor, Chapter 419 Acts
- H 5659 - Bill relative to mental illness benefits.
New draft of H. 974 and H. 2557
Substituted by H. 6259
- H 5667 - Bill to establish a liability insurance fund in the town of
Amherst.
New draft of H. 1830
Signed by the Governor, Chapter 268 Acts
- H 5686 - Bill relative to the classification of sailmaker shops for
fire insurance.
New draft, substituted for H. 4560
Signed by the Governor, Chapter 263 Acts
- H 5706 - Bill relative to the Massachusetts Crime Insurance Program.
New draft of H. 5644
Signed by the Governor, Chapter 233 Acts
- H 5743 - Bill continuing health benefits for state employees on parental
leave.
New draft of H. 1335
Signed by the Governor, Chapter 713 Acts

- H 5794 - Bill providing group insurance benefits for certain employees in the city known as the town of Methuen.
New draft, substituted (on motion of Mr. Giordano) for H. 5206
Signed by the Governor, Chapter 358 Acts
- H 5815 - Bill relative to public disclosure by health insurers.
New draft of S. 704 and H. 2777
Substituted by H. 5861
- H 6212 - Bill relative to medical malpractice insurance.
New draft, substituted for H. 6108
Signed by the Governor, Chapter 560 Acts
- H 6267 - Bill relative to the recommendations of the special commission on medical malpractice.
New draft of H. 6228
Bills in the Third Reading new draft substituted, see H. 6354

